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Pagan Emperors and Religious Policies: A.D. 249-363

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ABSTRACT

The period of the mid-third to mid-fourth centuries A.D. was an age of transformation. The unprecedented turnover of emperors between the accession of Maximinus Thrax in A.D. 238 and the rule of Diocletian in A.D. 284 led to a period of uncertainty, which was deepened through a number of internal and external pressures. The third century saw the rise and institutionalisation of Christianity, and other new, monotheistic religions such as Manichaeism, which challenged the prominence of pagan Roman religion. The tensions between what was understood as legitimate and correct religions and behaviours and those regarded as different was important to the rhetoric of imperial pronouncements of this time. However, these tensions cannot be classed as being a binary opposition. The variation in approaches to both Christian and pagan religions in this time exemplifies the tensions that existed. These tensions were exacerbated by an increase in foreign incursions on several frontiers. This resulted in a shift in the style of imperial rule, with the formation of Diocletian's Tetrarchy in A.D. 293. The need to govern the empire on several fronts was fuelled by the increased barbarian incursions. Accompanying the change in imperial administration was a change in the legal constitutions of this time. The role of rescripts became more declarative and moralistic, and the compilation of legal codices demonstrate the change in how these laws were presented.

This thesis will examine how the religious policies of Rome's last pagan emperors were a reaction to the political, social and cultural changes of the period between Decius and Julian (A.D. 249-363). It will be argued that these policies sought to stabilise the empire through a series of traditional and innovative approaches. In some cases, this was achieved through demands for universal sacrifice, while in others, the imperial constitutions display a more interventionist approach in the form of harsh punishments. These constitutions frequently utilised the rhetoric of *romanitas* in order to dictate what behaviours were truly Roman. This is often used in order to state the need for the continuation of the *pax deorum*. These policies prescribed a variety of penalties for non-compliance, which was emphasised by their rhetoric.

Chapter one examines the mid-third century reigns of Decius (A.D. 249-251) and Valerian (A.D. 253-260). Although the Decian edict of universal sacrifice is lost, it is possible to reconstruct its aims through examining the Christian works of the contemporary Bishop of Carthage, Cyprian, and the later history of Eusebius of Caesarea. Further, surviving papyri from areas such as Oxyrhynchus in Egypt provide an insight to how the edict was promulgated. These accounts can be supplemented by a letter from Decius to the citizens of Aphrodisias. Unlike the request of Decius, Valerian's religious policies demonstrate a more direct and persecutory purpose. The edict of A.D. 257

requested all members of the church hierarchy were to be exiled and forbade Christian gatherings in cemeteries. The orders of the edict required clarification, which resulted in the issuing of a rescript to the senate in the following year. The rescript suggests clarification was required for how to punish Roman nobles. These new circumstances indicate the changes to the social, cultural and religious environment of Valerian's rule. These policies required all members of the empire to participate in Roman rites in order to demonstrate their support for the empire. The constitutions demonstrate the anxieties of Decius and Valerian to preserve what they understood as Roman behaviours, and the need to protect the *pax deorum* for the empire.

Chapter two examines the period of the Tetrarchy. This begins with an examination of intellectual and Christian thought between A.D. 249 and 303. The importance of these religious and philosophical discourses is pivotal to understanding the aims of these imperial policies. The works of Minucius Felix and Origen are important to understanding the Christian perspectives of this period, while those of Celsus, Porphyry and Sossianus Hierocles are demonstrative of how pagans perceived their position in the religious discourse. The second part of this chapter is focussed upon imperial religious policies enacted during the first decade of the Tetrarchy (A.D. 293-302). This is necessary for an understanding of the lost edicts of the Great Persecution. Earlier constitutions can be used to set these edicts in context. The Damascus Edict on Incest, the Prices Edict, and the Rescript on the Manichees indicate the centrality of *romanitas* and the *pax deorum* to the ideology of the Tetrarchy. The Damascus Edict and the Manichaean Rescript are preserved in the *Collatio Mosaicarum et Romanarum Legum*, and most likely have their origins in the Gregorian and Hermogenian Codes. The Prices Edict has been reconstructed through a series of surviving inscriptions. The aims of the persecution can also be understood through examination of the series of 'Edicts of Toleration' attributed to members of the Tetrarchy by Eusebius and Lactantius. The final section of this chapter is focussed upon the interventionist approach of Maximinus Daza, examining how it is possible to reconstruct the pagan responses to his policies.

Chapter three focusses on the religious policies of the emperor Julian (A.D. 361-363), Rome's last pagan emperor following the rule of his Christian family members. It begins with an examination of Constantine and the changes he made to the imperial relationship with the church. It discusses three constitutions from the reign of Constantine, all preserved in Eusebius' works. These constitutions, the so-called 'Edict of Milan', the Letter to the East, and the Letter Against Polytheistic Worship lay the groundwork for a new understanding of the *pax deorum* and appropriate Roman behaviours in a new Christian context. Finally, the chapter analyses a series of religious policies and actions under the reign of Julian in a world after the reign of Constantine. Julian's administration and his

use of both traditional and innovative measures to promote his own version of paganism will be examined through the following actions and constitutions: the School Law, the Funeral Law, the recall of exiled bishops, Julian's relationship with the Jews, and the return of blood sacrifice. This analysis is heavily reliant on the law codes of Theodosius and Justinian, Julian's own works, and the accounts of other writers such as John Chrysostom. Julian's policies demonstrate his attempt to reinstate the prominence of pagan religion in a period of religious tensions.

This thesis will examine the aforementioned imperial policies as articulated through legislation in order to demonstrate that they are reactions to the political, religious and social environments of the third and fourth centuries A.D. These policies stress what the emperors mandated to be intrinsically Roman practices, and in many cases they present a dichotomy of Roman and non-Roman behaviours. These policies allowed the emperors to dictate the behaviours and actions that were appropriate, and those that were not, for the inhabitants of the empire. These policies often singled out Christianity as an ideological scapegoat. The changes and continuities in the religious policies demonstrate that they stemmed from a desire to ensure the *pax deorum*, which the pagan emperors regarded as essential to the survival of Rome.

Declaration by author

This thesis is composed of my original work, and contains no material previously published or written by another person except where due reference has been made in the text. I have clearly stated the contribution by others to jointly-authored works that I have included in my thesis.

I have clearly stated the contribution of others to my thesis as a whole, including statistical assistance, survey design, data analysis, significant technical procedures, professional editorial advice, and any other original research work used or reported in my thesis. The content of my thesis is the result of work I have carried out since the commencement of my research higher degree candidature and does not include a substantial part of work that has been submitted to qualify for the award of any other degree or diploma in any university or other tertiary institution. I have clearly stated which parts of my thesis, if any, have been submitted to qualify for another award.

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Publications During Candidature

None

Publications included in this thesis

No Publications Included

Contributions by others to the thesis

No contributions by others

Statement of parts of the thesis submitted to qualify for the award of another degree

None

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Keywords
roman emperor, religion, policy, decius, valerian, diocletian, constantine, julian, early christianity

Australian and New Zealand Standard Research Classifications (ANZSRC)

ANZSRC code: 210306, Classical Greek and Roman History, 100%

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LIST OF ABBREVIATIONS

I. Standard References

AE	*L'Année épigraphique*, Paris, 1888 – present.
BGU	*Aegyptische Urkunden aus den staatlichen Museen zu Berlin*, Griechische Urkunden, Berlin, 1895-2005.
CAH XII[1]	Cook, S. A., Adcock, F. E. and Charlesworth, M. P. (eds), 1939, The Cambridge Ancient History: Volume 12, The Imperial Crisis and Recovery, A.D. 193-324, Cambridge: Cambridge University Press.
CAH XII[2]	Bowman, A.K., Cameron, A. and Garnsey, P. (eds.). 2005. *The Cambridge Ancient History: Volume 12, The Crisis of Empire, A.D.193-337*, 2nd ed., Cambridge: Cambridge University Press.
CIL	W. Henzen, C. Huelsen, and T. Mommsen, et al., 1862-present. *Corpus Inscriptionum Latinarum*, Berlin: George Reimer.
ILAlg	Gsell, S. and Pflaum, H.-G., 1922-2003, *Inscriptions latines d'Algérie*, 2 vols, Paris.
ILCV	Diehl, E. 1924-1931. *Inscriptiones latinae christianae ueteres*. 3 vols. Berlin.
ILS	Dessau, H., 1892-1916, *Inscriptiones Latinae Selectae*, 3 vols, Berlin.
L&S	Lewis, C.T. and Short, C. (eds.). 1951. *A Latin Dictionary*. Oxford: Clarendon Press. Rev. edn. First edn. Pub. 1879.
OLD	Glare. P. G. W. (ed). 2012. *Oxford Latin Dictionary: Latin-English*. Oxford: Oxford University Press. Rev. edn. First edn. pub. 1983.
P. Oxy.	The Oxyrhynchus Papyri, London, 1898 – present.

PLRE I	Jones, A. H. M., Martindale, J. R. and Morris, J., 1971, The Prosopography of the Later Roman Empire, Volume 1 A.D.260-395, Cambridge.

II. Ancient Sources

Ancient sources have been abbreviated according to the Oxford Classical Dictionary's guide, except for the following:

Collat.	Collation of Mosaic and Roman Laws
Cyprian	
Cypr. *De Laps*.	The Lapsed
Cypr. *Ep.*	Letters
Eusebius	
Euseb. *CH*.	Against Hierocles
Euseb. *HE*.	Ecclesiastical History
Euseb. *MP*.	Martyrs of Palestine
Euseb. *PE*.	Preparation for the Gospel
Euseb. *VC*.	Life of Constantine
Julian	
Julian *CG*.	Against the Galilaeans
Julian *Caes*.	The Caesars
Lactantius	
Lact. *DI*.	Divine Institutes
Lact. *DMP*.	On the Deaths of the Persecutors
PE Pr.	Prices Edict Preamble

INTRODUCTION

I. The Question and Approach

The period of the mid-third to mid-fourth centuries A.D. was one of great change and transformation in the Roman world.[1] This thesis is concerned with the religious policies of five emperors ruling during this period: the mid-third century emperors Decius and Valerian, the Tetrarchs Diocletian and Maximinus Daza, and the post-Constantinian Julian. The complex nature of this period saw changes in the imperial administration with numerous emperors ruling for a short time, and the creation of a new form of government: the Tetrarchy. This would in turn give way to the Christian rule of Constantine. Constantine's acceptance of Christianity and his relationship with the Church brought new challenges to his pagan successor, Julian. The religious policies of these emperors are frequently understood as persecutory in modern scholarship, and their purpose remains an object of contention.[2] This thesis aims to understand these policies in relation to the social, cultural and religious environments in which they were promulgated.

These emperors and their religious policies will be examined in a series of chronological case studies. It is clear the constitutions of these emperors demonstrate an anxiety to preserve the *pax deorum* and *romanitas*. In some cases, this was attempted through the implementation of traditional measures such as requests for universal sacrifice. In other instances, more innovative and individual approaches were adopted such as the establishment of networks of priests and centralised policies in which the emperor dictated the terms of proper Roman behaviour. This thesis examines the religious policies of emperors ruling in this period and seeks to resolve the misconceptions of these policies presented by a hostile Christian tradition. It is clear the religious policies promulgated by Rome's last pagan emperors sought the continuation of the *pax deorum* and *romanitas* in order to ensure the empire's survival. Christians were only one of many groups targeted as non-Roman in efforts to preserve the empire. [3]

The Mid-Third to Mid-Fourth Centuries

While a number of scholarly works discuss either the third or fourth century, this thesis addresses these periods together in a similar fashion to David Potter's *The Roman Empire at Bay*. This is necessary to demonstrate trends in continuity and change in the religious policies of this period. The

[1] All dates are A.D. unless otherwise specified.
[2] Examples of this debate can be found in works such as: Bowersock 1978; de Ste Croix 1963; Frend 1965; Oborn 1933; Rives 1999; Selinger 2004.
[3] In order to keep to the word count as mandated by the University of Queensland Graduate School, I will not be including the original Greek or Latin within the thesis, and will only make reference to the key words in the texts examined.

period of the mid-third to mid-fourth century has been well documented by a number of scholars.[4] Indeed, the pivotal work of A.H.M. Jones provided a blue-print for later scholars of this complex period.[5] Most frequently, these studies either end, or begin with the year 284.[6] The exceptions to this are the *Cambridge Ancient History* (Vol. 12), Peter Brown's *World of Late Antiquity* and Potter's 2004 work.[7] The former does not cover the reigns of Constantine's sons and Julian, while Brown and Potter both cover the period following Constantine.[8] It is important to examine these periods together as the challenges faced by the emperors preceding the reign of Julian were unlike those he faced in a world accustomed to imperial policies driven by Christianity. The chronological approach of this thesis examines three distinct periods: the mid-third century, the Tetrarchy, and the reign of Julian. These are examined together in order to achieve a greater understanding of the changes and continuities in imperial religious policy.

The Third Century Crisis and the *Constitutio Antoniniana*

It is clear there were high levels of insecurity within the empire during the mid-third century with over 20 rulers in the space of 45 years. This constant state of flux was exacerbated by an increase in foreign incursions on the frontiers and internal factors such as the outbreak of plague. The emperors of this time recognised these problems, and promulgated policies that reflect an attempt to bring these citizens in line with imperial expectations. Regardless of the definition used by modern scholars to define the period of the third century, it is evident the emperors of this period were aware of the decline and changes within the empire.[9] Individuals who did not directly conform with the imperial definition of Roman behaviour were understood as seditious and unsupportive of the empire. The failure to acknowledge the Roman gods, as observed in the practices of religious groups such as Christians and Manichees, resulted in their position as ideological scapegoats for the empire's problems.

Caracalla's introduction of universal citizenship in 212 was both unprecedented and a challenge for the empire.[10] The impact of this grant resulted in unprecedented 'Roman' diversity in the empire, and brought about the necessity for the emperors to unite all citizens in Roman behaviours. It has

[4] Brown 1989; Harries 2012a; Jones 1964; Mitchell 2006.
[5] Jones 1964 v1.
[6] See works such as Ando 2012; Harries 2012a; Lee 2013 (which begins with 363).
[7] Brown 1989; *CAH XII*[2]; Potter 2004.
[8] *CAH XII*[2].
[9] The issue of the 'crisis' is one that has been widely discussed in scholarship. There have been a number of different approaches to this issue, with older scholars such as Alföldi 1939, Alföldy 1974, and MacMullen 1976 have termed the period as a crisis, while more recent, revisionist works of De Blois 2002 and Liebeschuetz 2007 challenge the notions of the word. Ando's 2012 work provides perhaps the most applicable understanding of this period. There is no doubt the empire was in a state of decline, and faced a number of issues. Ando's 2012: 12-17 suggestion that the crisis was indeed more prevalent in some areas more than others is highly relevant to this thesis.
[10] Cass. Dio. 78.9.3; Ando 2012: 54-5; Jones 1936: 224.

been argued the *Constitutio Antoniniana* was introduced in some capacity as thanksgiving to the gods following Geta's alleged plot against Caracalla.[11] The introduction of the edict was likely followed by a request for empire-wide sacrifice, not unlike the edict of Decius in 249. From the introduction of the edict, Christians failed to conform to the new expectations that were to be observed by proper Roman citizens. Keresztes suggests even at this stage Christians were rejecting the pagan gods and praying to their god instead.[12] This problem would continue throughout the third century, with attempts to rectify it frequently occurring in the religious policies of the emperors during the mid-third to fourth centuries.

The Mid-Third Century Emperors: Decius and Valerian

The reigns and religious policies of the emperors between the mid-third to mid-fourth centuries have been studied with various results. There is divided opinion regarding the motives of these emperors. The rule of Decius has often not been addressed in an appropriate manner. Previously, scholars claimed he had pursued an empire wide persecution of the Christians.[13] However, recent scholarship has pushed for a deeper understanding of Decius' edict.[14] Reinhard Selinger and James Rives emphasise the traditional elements of the emperor's request for universal sacrifice, which has been largely referred to as a 'persecution' in the past.[15] These nuanced works find that Decius sought to restore the *pax deorum*, and to promote the preservation of *romanitas* within the empire.[16] This was promoted in a bureaucratic fashion, and required all citizens hold a *libellus* as proof of their participation in the demands of the edict. The work of papyrologist, AnneMarie Luijendijk examines some of these *libelli*.[17] Luijendijk notes that the nature of Decius' edict was not persecutory. Rather, it requested acknowledgement of the Roman gods in an appropriate manner.[18] These documents do not concern specific Christian practices, and it seems that they operated as receipts, proving that sacrifice had been conducted.[19] It is clear Decius was attempting to preserve an intrinsically Roman practice, and to restore the favour of the gods, rather than targeting Christians.

Valerian and his policies have likewise not been treated with adequate consideration of their aims and environment. Although these policies were outwardly persecutory in their nature, the

[11] Heichelheim: 1941: 18; Keresztes 1970a: 450.
[12] Keresztes 1970a: 456.
[13] Keresztes 1970b: 577; Oborn 1933: 67-8.
[14] Rives 1999: 143-5, Selinger 2004: 35-6.
[15] Rives 1999: 144; Selinger 2004 35.
[16] Hekster 2008: 70-2; Luijendijk 2008: 158-9.
[17] Luijendijk 2008: 157-61.
[18] Cf. *P. Oxy*. 41.2990; Reynolds 1982: 141, plate XXI.2.
[19] Luijendijk 2008: 161-4.

underlying reason for their promulgation has remained an object of scholarly debate.[20] Approaches to the Valerianic policies fall into two schools of thought: those who believe they were for financial gain,[21] and those who see them as an attempt to restore the *pax deorum.*[22] This thesis combines these approaches, and argues that Valerian sought to restore the fiscal situation through use of an ideological justification. This emphasised the beneficial practices for the empire in addition to upholding the *pax deorum*. Valerian dictated these terms through the promotion of proper 'Roman' practices.[23] Although Valerian's *procurator a rationibus* receives a great deal of blame for these policies, it is unlikely that the economic situation was the only factor in their promulgation.[24] The increase in foreign incursions and outbreaks of plague indicated the gods were displeased, resulting in the financial stresses faced by Valerian.[25] It will be argued that Valerian's desire for the restoration of the *pax deorum* and the preservation of proper Roman behaviours were primary motivators for his policies.

The Tetrarchs: Diocletian and Maximinus Daza

The study of the period of the Tetrarchy has trouble explaining the motives of a number of religious constitutions. This thesis will be primarily focussed on two eras of the Tetrarchy: the decade preceding the Great Persecution (292-302), and the policies of Maximinus Daza at the end of the persecution.[26] Using the methodology of Simon Corcoran's 2000a work, *Empire of the Tetrarchs,* these policies will be assessed in relation to other contemporary evidence in order to understand the environment that influenced their promulgation.[27] This approach lends itself to a more in depth understanding of the political and religious environments of Tetrarchic law, aiding their contextualisation.[28]

This thesis argues that Diocletian's policies from the first decade of the Tetrarchy provided a rhetorical base on which the later policies would be built. The importance of *romanitas* to religious policies had earlier been emphasised in the Valerianic constitutions of 257 and 258.[29] The

[20] cf. de Ste Croix 1963; Frend 1965; Haas 1983: 139-40; Jones 1964; Keresztes 1989; Oborn 1933.
[21] Frend 1965; Oborn 1933. This trend precedes the second, and more nuanced school of thought which is presented from the work of Millar 1977 onwards.
[22] Haas 1983; Millar 1977; Selinger 2004.
[23] Something that is also evident in Decius' decree. See Reynolds 1982: 141.
[24] Euseb. *HE.* VII. 10.5.
[25] Frend 1965; Harper 2015: 8-9, 2016: 475-6; Keresztes 1975: 92-5; Whitehorne 1977: 195. Harper 2016 suggests the plague of Decius may have carried on into later reigns following 250. This leaves Valerian's reign in close proximity to the plague reported by Cyprian.
[26] Mackay 1999: 207-9 discusses the origins of Maximinus' name Daia and concludes that Daza is the correct form. As such, this thesis will follow this model.
[27] Corcoran 2000a.
[28] Corcoran 2000a: 4-5.
[29] See Chapter 1.3.

Tetrarchic constitutions draw upon this earlier rhetoric, but employ it in a grander and more moralistic fashion. This is clear in all aspects of Tetrarchic legislation. Diocletian's use of *romanitas* in the decade of the first Tetrarchy demonstrates a renewed focus on the importance of proper Roman behaviours for preserving the wellbeing of the empire. This helps to shed light on the policies of the Great Persecution itself and the fashion in which it was conducted.

Maximinus' reign often receives a similar treatment to that of Diocletian. Maximinus is remembered for his fiercely anti-Christian stance. Yet, his policies also demonstrate an attempt to preserve the *pax deorum* and *romanitas*. However, these operated on a more personal level, with the distribution of false documents about Christ and the sprinkling of libations on goods in the marketplace. This thesis attempts to separate the image of Maximinus as a persecutor from his actions in his imperial policies. Such an approach has already been undertaken by Oliver Nicholson who states the importance of considering the Christian origin of such evidence.[30] This thesis will further this approach through examining why Maximinus promoted the measures he did, with emphasis upon his responses to petitions. Further, P.S. Davies suggests the actions of Maximinus are more in line with his own fervour than obedience to the orders of his superiors.[31] This is continuously displayed during Maximinus' time as Augustus. Maximinus seems concerned with the preservation of the *pax deorum* and *romanitas*.[32] His fervour indicates a personal vigour that was later shown by Julian's reign. Both emperors promoted their religious policies on a personal level that also saw a greater degree of centralisation. Maximinus and Julian would both create a network of priests, which would ensure their brand of paganism was promoted in the provinces.

The Empire After the Reign of Constantine: Julian and His Empire

The reign of Julian (361-363) was on all fronts polarising. The ancient sources available are divided regarding his reign. This trend has transcended time and remains prevalent in modern scholarship. It is not unusual to see Julian superficially referred to as a persecutor and destructive threat to Christianity.[33] Scholars such as Glen Bowersock have declared that Julian's administrative aims sought the 'complete and utter destruction of Christians and Christianity.'[34] This view is outdated and needs further consideration. Smith suggests Julian's attitude towards Christians should be understood as 'seeking to undermine the political significance of the group, rather than their

[30] Nicholson 1994: 4.
[31] Davies 1989.
[32] Davies 1989: 71-75.
[33] Cf. Gregory Naz. *Or.* 4; Soz. *Hist.eccl.*.5.5.6.
[34] Bowersock 1978: 84.

personal destruction.'[35] As such, I argue that Julian sought to diminish the public role of Christians, rather than their complete demise. The arguments put forth by David Greenwood and Karl Sandnes further indicate Julian's desire to see a reinstatement of the traditional gods and consequently the *pax deorum*, and *romanitas* to the empire.[36]

II. Roman Religion, Pagans, and Christians

Before commencing this study, it is necessary to outline and address a number of key definitions. These include concepts and ideas such as Roman religion, paganism, and Christianity. Further, this section will discuss how these concepts changed throughout Antiquity and their meaning during the period with which this thesis is concerned.

The first, and most obvious term that needs to be defined is pagan(ism). This thesis will adopt the definition provided by Alan Cameron.[37] This is a definition appropriate especially for distinguishing between Christians and those who adhered to the state-sanctioned traditional religion in the post-Constantinian period. As the period examined by this thesis is one of great religious divergence, terms such as polytheistic, and non-Christian are insufficiently specific.[38] As such, I use the term pagan to refer to those who followed a Roman religion as promoted by the state, and who worshipped the Greco-Roman gods essential to the *pax deorum*.[39] Polytheistic religion could exist both as part of organised state religion, and as displays of personal practice. These were both understood as necessary for the preservation of the *pax deorum*. In the post-Constantinian period, pagan is still used for those who worshipped the traditional gods.

Roman religion also needs to be defined.[40] John Scheid suggests 'there is no such thing as a Roman religion, only Roman religions.'[41] However, the divide between what was construed as a 'Roman religion' by the state and what was not can be defined using the ancient concepts of *religio* and *superstitio*.[42] Beard, North and Price refer to Roman religion(s) and *religio* as practices that relate to both public and communal behaviours that were beneficial to the gods and the state.[43] These

[35] Smith 1995: 209.
[36] Greenwood 2014: 117; Sandnes 2012: 509.
[37] Cameron 2011: 25-30; Frakes 2011: 3-4.
[38] Cameron 2011: 25-28; Stroumsa 2009: 4-5.
[39] Cameron 2011: 14ff. provides an excellent analysis of the language surrounding the ancient origins of *paganus* as understood in a modern context.
[40] There are a number of works on Roman religion: Ando 2003; Beard, North, and Price 1998 v1; Beard and North (eds.) 1990.
[41] Rüpke 2007: 1-2; Scheid 2003: 19.
[42] *OLD* s.v. *religio; superstitio*.
[43] Beard, North and Price 1998: 216.

activities were to be carried out by individuals be they citizen or emperor.[44] However, actions construed as not being appropriate were understood as *superstitio*, in which the gods were not treated in the respectful way they were meant to be, resulting in the breakdown of the *pax deorum*. The relationship between *religio* and *superstitio* underwent a significant shift with the growth of Christianity. In this period, *superstitio* was used in reference to 'false religions' i.e. paganism, while *religio* referred to the true religion, Christianity.[45]

It is noteworthy that pagan religions lacked a universal holy book, ethical code, and eschatological purpose.[46] Despite these aspects, there was a great reliance on ritual participation such as sacrifice.[47] Ritual sacrifice is an integral part of this thesis, with many of the examined policies demanding, or referring to, sacrifice as a specifically Roman behaviour. As a public action requiring group participation, ritual sacrifice was understood as integral to the successful execution of pagan worship. Sacrifice is described by Guy Stroumsa as the 'very heart of religious activity, certainly of any public and official religious activity…'[48] However, this changed during the period examined by this thesis, with the prevalence of blood sacrifice declining in the empire, particularly in the East.[49]

The decline of ritual sacrifice is often related to the development of Christianity during the mid-third to mid-fourth centuries. It was during this period Christianity rose to prominence within the empire, and was perceived as a threat to the traditional state religion(s) of Rome.[50] Despite having its roots in the early empire, Christianity's place as an ideological threat to the state is not common in imperial legislation until the mid-third century. Prior to this period, administrators followed the model presented to Pliny the Younger by Trajan: all issues pertaining to Christians were to be dealt with according to the governor's discretion.[51] The establishment of a religion dependent on ethical teachings from a sacred book, eschatological aims, and refusal to participate in traditionalistic religious practices was perceived a threat by the emperors. Christians were understood as abstaining from the worship of the gods, that would be displeasing to the gods. However, the question must be asked, why and how did Christianity become perceived as a threat at this time?

The formation of a religion with an independent hierarchy of religious leaders and a set of universal views was a problem for Roman legitimacy. Despite its formation early in the history of the Roman

[44] Beard, North and Price 1998: 216.
[45] Scheid 2003: 23.
[46] Scheid 2003: 18-9.
[47] Bradbury 1995. Sacrifice declined in some parts of the empire during the period of this thesis.
[48] Stroumsa 2009: 57.
[49] McLynn 1996: 326; Salzman 1987: 176; Salzman 2011: 169.
[50] Scheid 2003: 18-9.
[51] Plin. *Ep.* 10.96-7.

empire, Christianity had grown, relatively ignored by the imperial house until its prominence was clear in the mid-third century.[52] It was at the turn of the mid-third century this group seemed to have brought anxiety to the emperors. Their refusal to participate in state sanctioned religion resulted in their culpability for issues plaguing the empire. There is scholarly debate regarding the number of Christians in the empire during this period. The argument put forth by Keith Hopkins seems plausible when related to the timing of the commencement of the persecutions.[53] His conjecture that the Christian community underwent a 'rapid growth' at the start of the third century correlates with a number of factors.[54] The religion was able to grow, uninhibited on account of its reliance on private gathering places, rather than a public temple.[55] As such, churches were not established until the period of the Tetrarchs.[56] This would make Christians difficult to track and control. Consequently, it is not surprising that a number of imperial policies ban Christians from both their meeting places and cemeteries. Such an order is indicative of the awareness of Christian gatherings in cemeteries, and their alleged participation in activities deemed as *superstitio*. These policies at times also targeted the Christian hierarchy in a bid to halt the influence of these groups. Despite orders exiling bishops and deacons, these figures were still effectively able to communicate with their flocks from exile.[57]

III. The *Pax Deorum* and *Romanitas*

Imperial anxiety surrounding the *pax deorum* and *romanitas* is clear throughout the imperial legislation and pronouncements of the mid-third to mid-fourth centuries. Emperors at this time were particularly concerned with ensuring their reign was consolidated by the support of the gods following the period of civil unrest and foreign invasions. Although both terms are not common in the ancient literature concerning this period, they are, as concepts, pivotal to this thesis.[58] The *pax deorum* is noted as being a connection (or pact) between man and god.[59] Indeed, it was understood as necessary for man to act appropriately in order to ensure benefactions from the gods rather than punishments.[60] The support of the gods would only be ensured by proper completion of religious

[52] Clarke *CAH XII*[2].
[53] Hopkins 1998; Lane Fox 1986: 268-73 is in line with the arguments made of Hopkins, suggesting Christians were around 4% of the population by 312; MacMullen 1984 has taken a more drastic approach to the numbers of Christians in Rome during the third and fourth centuries, with a much larger estimate than Hopkins.
[54] Hopkins 1998: 222-3.
[55] Grafton and Williams 2006: 72-5 provides a relevant overview of the growth of Christianity up to the mid-third century; Hopkins 1998: 201-3.
[56] Hopkins 1998: 201 refers to the pre-Church meeting places of Christians as 'house-cult groups' which is indicative of their gathering places and numbers as a community.
[57] Cypr. *Ep.* 80 is an example of Cyprian communicating with his flock while in exile.
[58] Lennon 2013: 16.
[59] Stevenson 2015: 147.
[60] Rosenstein 1986: 239; Rosenstein 1995: 55.

actions.[61] Emphasis on the need for divine support can be traced back to the Roman Republic. Cicero makes several notes of proper behaviour towards the gods, and presents ideas further built upon by later Latin writers.[62] If the gods were not happy, bad events would fall upon their subjects. This is clearly an anxiety for the emperors discussed in this thesis. As is the case with a great deal of Roman religion, continuity and change is evident through the Christian *pax deorum*, or *pax dei*.

Overall, the *pax deorum* was not regarded as possible without the display of *romanitas* throughout the empire. Correct behaviours were classed as Roman, and supported the emperor and empire. First appearing in the works of Tertullian, the term *romanitas* was not used to relate to Roman identity until the third century.[63] Although the term is not used explicitly within the policies examined in this thesis, it is an idea that was apparent during this period.[64] Instead, I will argue, in line with Dench that the language of *romanitas* is clear in these policies.[65] The adjective *Romanus/a/um* is often used to denote specifically Roman practices.[66] This language is frequently used to separate proper Roman behaviour from that seen as non-Roman. Accordingly, *romanitas* will be used to denote an idea rather than use of the word. The idea permeates an understanding that a particular set of actions and beliefs reflects true *romanitas*, or Romanity. Dench also notes the issues regarding the 'misapplication' of the word by modern scholars, and its complicated nature, especially in Late Antiquity.[67] As a result, *romanitas* will be used to refer to activities understood as Roman in their behaviours. This can be done through examining the language of the policies at hand, and their use of words denoting 'Roman' or proper behaviours.

IV. Defining Roman Law

This thesis is primarily focussed upon the promulgation of religious policies in the mid-third to mid-fourth centuries. As such, it is necessary to define the types of legal evidence that will be used. The study of Late Antique law has been carried out by a number of distinguished scholars, whose works are vital for the formation of this thesis.[68]

[61] Reynolds 1982: 141.
[62] Cic. *De. Leg*. 2.19; Cic. *Font*. 30.
[63] *L&S* s.v. *romanitas.*
[64] Tert. *De Pallio*. 4.1; Decret 2011: 42-3; Dench 2005: 31-2; Green 2010: 129.
[65] Corcoran 2000a: 173 on the emphasis of *romanitas* in the policies of the Tetrarchs, anything that did not conform with their views of Roman behaviour is made clear; Dench 2005: 31 makes note of the different language of *romanitas*, with *romanus* being more common in the mid to late republic.
[66] *Act. Cypr*. 1.3.
[67] Dench 2005: 31.
[68] Corcoran 2000a; Dillon 2012; Harries 1999, 2011, 2012a; Honoré 1981; Millar 1977.

Edicts, Rescripts, and Letters

In defining the roles and formats of Roman law, works such as those of Corcoran, Honoré and Millar must be taken into account.[69] The most common form of communication of imperial laws are edicts and rescripts. An edict is traditionally defined as a text sent with orders to the whole empire. Corcoran defines these texts as formulaic in their format, serving to extol a particular view.[70] Additionally, Millar notes that edicts remained enacted even following the death of their author, unless otherwise stated by a following piece of legislation.[71] Their enactment was to be empire wide, and posted in public.[72] Millar makes note of the change that occurred under the Tetrarchy which indicates a new level of 'impact on the population.'[73] This included more specific edicts, which were addressed to the citizens of a particular part of the empire.[74] However, this could also be a result of the changed nature of rescripts at this time.[75]

Originally, rescripts were a written response from the emperor to private petitions, and their format provided a response to the question, which was generally related to a law.[76] These responses were formal and legalistic in their responses.[77] However, the change in the system by 302 exhibited a shift to moralistic language and grander rhetoric.[78] This change was a long process, with Honoré noting the rescripts of Valerian were longer than previous rescripts.[79] This change is best demonstrated by the Rescript on the Manichees of 302, which as a response to Julian, the proconsul of Africa, is laden with moralistic rhetoric, rather than a clear legalistic response.[80] This form is more reminiscent of an edict rather than earlier rescripts and reflects a change in imperial rhetoric and approaches.

The Law Codes of Theodosius and Justinian

Evidence suggests there were four compiled law codes in the Roman world. Unfortunately, the first law codes of the Roman empire, the Hermogenian and Gregorian Codes (dating to the 290s) no

[69] Corcoran 2000a, 2014; Honoré 1981; Millar 1977.
[70] Corcoran 2000a: 2.
[71] Cf. *C.Th*. 5.13.3 in which a ruling of Julian was overturned by Valentinian and Valens (albeit in a rescript); Millar 1977: 252-3.
[72] Corcoran 2000a: 2; Millar 1977: 252.
[73] Millar 1977: 257.
[74] Millar 1977: 258.
[75] Dillon 2012: 68-85.
[76] Corcoran 2000a: 2.
[77] Dillon 2012: 68.
[78] Cf. the difference in language between *Collat*. 15.3.3. and Cypr. *Ep*. 80. Valerian's rescript, and the Tetrarchic rescript on the Manichees.
[79] Honoré 1981: 103.
[80] *Collat.* 15.3.3. The date of this rescript is contentious, with some scholars placing the date at 297 (Brown 1969: 92), and others preferring the date 302 (Bruce 1983: 336-47; Corcoran 2000a: 135; Rees 2004: 58-9.).

longer survive in their complete form.[81] It seems the Hermogenian Code was primarily concerned with rescripts between 293-294 during the first Tetrarchy.[82] The Gregorian Code included earlier imperial constitutions which were later included in the Justinianic Code.[83] Despite these now being lost, the *Collatio* preserved a number of the constitutions that comprised these texts.[84] The composition of the *Collatio* can be placed at the end of the fourth century, in a window of 392-5, before the compilation of the Theodosian Code.[85] The *Collatio* is ultimately a text that needs to be considered carefully on account of the laws paralleled within it, and the issue of authorship.[86] As such, this text will be used in order to understand the laws of Diocletian, and will not consider the other laws provided as parallels in the *Collatio*.[87] It is worth noting the edicts of persecution are not recorded in any of these compilations.

The Theodosian Code, compiled under the emperors Theodosius II and Valentinian III, was promulgated throughout the empire in 439.[88] The text is a compilation of legal documents starting with the joint reign of Constantine and Licinius in 312.[89] The policies of Licinius are generally obscured within this text due to his reputation as a persecutor.[90] The aim of the text was to compile an unify a series of imperial laws.[91] It was ordered that the text was to follow the format of the Hermogenian and Gregorian Codes, including all imperial policies from the reign of Constantine (and Licinius) on to Theodosius II.[92] The only laws to be included were *leges generales,* so as to exclude any constitutions that referred to specific individuals.[93] Matthews argues this definition and exclusion of other constitutions such as rescripts led to a problems for historians using the Theodosian Code.[94] As such, it is common that these laws are divorced from their original context, and even purpose.[95] A particularly clear example are the laws of Julian. The full edicts and rescripts on two occasions survive within Julian's own works, and demonstrate a much broader set of

[81] Cf. Connolly 2010 regarding the earlier texts, and their compilers; Corcoran 2000a: 25-6, 27-42 on the Codes. There are approximately forty Diocletianic constitutions that survive from these texts; Frakes 2011: 45. Frakes suggests these texts heavily influenced the style of the Theodosian and Justinianic Codes.
[82] Connolly 2010: 39-41; Corcoran 2000a: 28-9; Corcoran and Salway 2012: 76.
[83] Corcoran and Salway 2012: 76.
[84] Frakes 2011: 53.
[85] Frakes 2011: 55-7, 65.
[86] This issue is considered by Frakes 2011: 124-151, who concludes that the author was most likely a Christian jurist from the Western empire.
[87] This follows the methodology of Corcoran 2000a: 5.
[88] Matthews 2000; Matthews 2010: 19-44.
[89] Dillon 2012: 16.
[90] See Corcoran 2010: 97-119 on Licinius' policies in the Theodosian Code.
[91] Dillon 2012: 17.
[92] *C.Th.* 1.1.5; Matthews 2000: 56.
[93] Dillon 2012: 23-4; Harries 2010: 6; Matthews 2000: 16, 65 discusses a pronouncement of 435 which declares that the laws collected should be 'those with edictal force or of general application.'
[94] Matthews 2000: 16-17.
[95] Corcoran 2014: 179; Matthews 2000: 57; Matthews 2010: 23.

instructions.[96] It is notable, that despite his anti-Christian stance in the laws, that Julian's policies were still edited and included.[97]

The Justinianic Code was ordered to be compiled by the emperor Justinian in 528.[98] He ordered that the collection of laws should 'harmonise 1000 years' of Roman legislation.[99] The result is a collection of three different texts in the ultimate *Corpus Juris Civilis*.[100] The Justinianic Code, according to Corcoran, was compiled using content from the other law codes of Roman antiquity, as well the Justinianic novels.[101] The use of these codes is seen through the brevity of those included in the Justinianic Code. The laws included are more abbreviated than their forms in other codes, since these included a number of private rescripts, which were generally short, as opposed to the longer imperial edicts.[102] Both texts were compiled according to the principle of *generalitas*, which is defined within the Justinianic Code.[103] This ensures the codes could be used as a general reference point.[104]

These legal texts are the basis for a great deal of evidence of legal proceedings and proclamations for Late Antiquity. The compilation of the texts presents their readers with a number of issues necessary to consider. The texts preserved within the codes of Theodosius and Justinian are often abbreviated, and are divorced from their original context.[105] It is necessary to bear this in mind while trying to understand the aims of the texts. Indeed, a great deal of investigation has been undertaken of some of these laws.[106] Through the fortunate survival of two of Julian's policies preserved elsewhere, we have access to a better understanding of laws that otherwise is not possible.[107]

Although the Codes of Justinian and Theodosius were to be used as the answer to legal questions that existed, they will not be used in such a way in this thesis. Instead, these Codes will be used to aid investigation into the policies of Rome's last pagan emperors. The information provided will be treated as an imperial response to an issue within the empire. In many cases, this action appears to

[96] Cf. Julian *Ep.* 36, 56.
[97] Cf. *C.Th*. 9.17.5; Julian *Ep.* 56.
[98] Lee 2013: 152-3.
[99] Evans 1996: 202-7; Humfress 2005: 161-2.
[100] Humfress 2005: 161: These texts are the *Code, Digest*, and *Institutes.*
[101] Corcoran 2010: 105-6.
[102] E.g. *C.Th*. 13.3.5.
[103] *CJ.* 1.14.3.
[104] Corcoran 2000: 10-11; Honoré 1998: 128-132; Matthews 2000: 65; Watts 2004: 176.
[105] Corcoran 2014: 179-80; Matthews 2000: 57-84.
[106] E.g. Bradbury 1995.
[107] This is the Funeral Law*: C.Th*. 9.17.5; Julian *Ep.* 56.

be exhortative rather than necessarily definite. As such, I will be approaching these laws as evidence for imperial attitudes towards a range of ideological and administrative issues.

V. Approaching Late Antiquity: The Literary Evidence

The works of Eusebius of Caesarea, Lactantius and Julian are the major literary sources to document the period of this thesis. Each of these authors bring with them a different voice pertaining to the political situations addressed in this thesis. Eusebius and Lactantius both present a Christian world view of this period, while Julian provides insight to a post-Constantinian world, in which new challenges had arisen. Julian is particularly important on account of his works providing insight regarding his own policies and approaches to particular issues.

Eusebius of Caesarea, a bishop and theological instructor is responsible for a number of works utilised by this thesis.[108] Eusebius is concerned with the promotion of Christian identity and the victories of God and the Church over those who challenged them.[109] The historiographical genre of the *Ecclesiastical History* has been heavily debated.[110] This is due to the text's position as the first of its kind. Later Christian writers such as Sozomen and Socrates would attempt to write the next instalment of ecclesiastical history, following on from Eusebius.[111] From the outset, Eusebius' works are designed to demonstrate the constant battle between God and the Church, and those that opposed it.[112] Further, it is conjectured by Teresa Morgan that the aims of Eusebius as both a theologian and historian are unique, with Eusebius clearly imparting his own convictions to the history of the church.[113] As a result, much of the work serves to depict the religious policies of the pagan emperors as persecutory, rather than examining the political purpose, or overall aim of these policies.[114]

While it is almost certain that the *Ecclesiastical History, Martyrs of Palestine*, and *Life of Constantine* can be attributed to Eusebius, scholarly debate surrounds the authorship of the *Against Hierocles*.[115] This thesis will follow the arguments put forth by Christopher Jones who accepts a Eusebian authorship of the text.[116] There are issues when using texts such as the *Martyrs of*

[108] Barnes 1981: 148: *The Against Hierocles, Ecclesiastical History, Life of Constantine, Martyrs of Palestine*.
[109] Barnes 2009: 5-6.
[110] Barnes 1981; DeVore 2013.
[111] Louth 2004: 273.
[112] Barnes: 2009: 5-6.
[113] Morgan 2005: 193-4.
[114] Euseb. *HE*. VI 39.1; VII. 10.7-9; VII 30. 20-22.
[115] Hägg 1992: 145-6 rejects a Eusebian authorship.
[116] Jones 2005: 150.

Palestine. As a genre, it is a proselytising text, and brings with it the need for extra caution.[117] Despite these issues, the existence of such a discourse surrounding the events of Maximinus' reign is important to consider. It is likely that Eusebius, who lived in the East while it was ruled by Maximinus, had access to firsthand accounts of these events. Further, the same can be said for the inclusions of imperial letters and policies referenced in the *Life of Constantine*.[118] This is demonstrated through Eusebius' inclusion and treatment of policies in his *Ecclesiastical History.*[119] In both cases, he includes reference to the legislation of these emperors, often to push his own pro-Christian views. However, their inclusion is of great value to scholars.[120] The rhetoric used by Eusebius is somewhat replicated in the works of Lactantius, in which the same neglect to underlying issues is present.

Lactantius, a professor of rhetoric at Nicomedia, and Christian, authored the legal text *Divine Institutes*, and the polemic *On the Deaths of the Persecutors*. The inclusion of a number of imperial documents in the *On the Deaths of the Persecutors* and reference to a lost edict in the *Divine Institutes* are of utmost importance to this study.[121] Lactantius' *On the Deaths of the Persecutors* seeks to undermine traditional Roman religion and to position Christianity as superior.[122] This is achieved through outlining the gruesome deaths met by those who persecuted the Christians. The ultimate purpose of the *On the Deaths of the Persecutors* is described by Lactantius as an attempt to 'testify to all men as to God's revelation of His greatness in the punishment and destruction of the enemies of His Name.'[123] The *Divine Institutes*, modelled upon a legal textbook, is the second of Lactantius' works relevant to this thesis.[124] The *Divine Institutes* approaches the traditional practices of Rome in much the same way as the anti-Christian polemics of Celsus and Porphyry approach Christianity, with a focus on the practices and perceived 'superstitions' of the religion.[125] Lactantius declares the aims of the *Divine Institutes* to be a well-written Latin response to the works of anti-Christian polemicists.[126]

Julian is perhaps most well-known due to his labelling as 'the apostate', following his abandonment of Christianity in favour traditional pagan practices. As Rome's last pagan emperor, Julian's reign

[117] Barnes 1981: 148-153; de Ste Croix 1954: 75-6.
[118] Barnes 1981: 265-70; Cameron and Hall 1999: 1-54. Van Dam 2011: 82-101.
[119] Cf. Euseb. *HE*. VII. 10.3-4, VII.11.2-11, IX. 1.3-5, IX. 10.7-11.
[120] Euseb. *HE*. VII. 10.3-4; DeVore 2014: 231; Grant 1980: 31.
[121] Cf. Lact. *DI*. 5.7.2; Lact. *DMP*. 48.2.
[122] Creed 1984: xxxv.
[123] Lact. *DMP*. 1.7; Barnes 1973: 30; Creed 1984: xxxv; Digeser 2012: 177.
[124] Chadwick 2001: 191.
[125] Chadwick 2001: 191, Digeser 2000: 8; Digeser 2012: 176-8.
[126] Lact. *DI.* 5.2.1. 'We have thus not had scholars of adequate expertise to undo popular error with energy and precision, and to plead the whole case for truth in choice and fluent fashion, and this deficiency has been taken by some as a good chance to try their pens against a truth they do not understand…'

is unusually well documented with the survival of a large number of the emperor's works.[127] As a result, there are a range of sources in a variety of genres including (and not limited to) letters, imperial policy, satire, and polemic. As an author, a great deal has been suggested about Julian. The volume edited by Baker-Brian and Tougher is a prime example of this scholarship.[128] In many cases, the scholarship surrounding the writings and policies of Julian overlaps.[129] This is not surprising, given these issues are addressed in a legal context. Different versions of these exist, with extended versions and drafts surviving in Julian's work, which are often used simultaneously with those recorded in the law codes.

These sources are supplemented by additional contemporary works from Church Fathers and pagan writers and philosophers. The important discourse between the late second-century Platonic philosopher Celsus and his mid-third century Christian adversary Origen is key evidence for understanding the wider discourses between Christian and pagan intellectuals prior to the Great Persecution. Celsus' late second century work *On the True Doctrine* discusses a number of philosophical issues regarding Christianity. In many respects his work would influence much later anti-Christian writers such as Porphyry of Tyre and even Julian, whose arguments would stem from Celsus' work. Origen wrote his *magnus opus* and defence of Christianity, *Against Celsus,* in 248, the year before the Decian edict was promulgated. This work was one of the many Christian apologetics in this period, and its theological arguments would influence later writers such as Eusebius.

Perhaps the most influential anti-Christian writer is Porphyry of Tyre. Porphyry, a Neo-Platonist philosopher writing in the late third and early fourth centuries, played a crucial role in understanding the intellectual and religious environment leading to the Great Persecution. Digeser convincingly argues that Porphyry was present at the imperial court in Nicomedia in 302 before the promulgation of the persecution edicts. His work *Against the Christians* is for the most part lost, but it too can be partially reconstructed through apologetics made in response to it.[130] This makes the reconstructed texts difficult to evaluate, but it can be used with caution.[131] His other works such as *On Abstinence*, and *On Philosophy from Oracles* also provide insight regarding Neo-Platonic pagan intellectual understandings of religion and what constituted proper Roman behaviour in reference to religion.

[127] Cf. Wright III vols.
[128] Baker-Brian and Tougher (eds.) 2012.
[129] Harries 2012a: 121-3.
[130] Berchman 2005: 1-2.
[131] Digeser 2012: 11-2.

Ammianus Marcellinus, a soldier serving under Julian during his Gallic campaign, is often proclaimed as the last great Roman historian.[132] The surviving books of his *Res Gestae* cover the period before and after the reign of Julian.[133] Ammianus' account provides pagan perspectives into the reign of Julian, which are not always complimentary to the emperor.[134] Of his work, books 20-25 deal with Julian as Caesar and Augustus, and include references to the political events of the time.[135] Importantly for this thesis, Ammianus' accounts of the rule of Julian includes reference to his religious policies and how they were received, with Ammianus providing the reader with a non-Christian reaction to Julian and his policies. These are not always complimentary to the emperor.[136]

VI. Methodology

This thesis comprises a series of chronological case studies, each focussing upon a different emperor and period of the mid-third to mid-fourth centuries. These case studies will present a comparative analysis of the three periods examined within this thesis: the mid-third century, the Tetrarchy, and the post-Constantinian world of Julian. This work examines the religious policies promulgated during these periods. In order to conduct this study in a thorough manner, I will be drawing upon the methodological approaches of a variety of scholars, particularly those of Simon Corcoran and John Dillon.[137] Corcoran addresses Tetrarchic constitutions alongside other related literature and material evidence of the period, which provides additional context for these policies. Such an approach is important for a thesis focussed upon religious policies during this period and is complemented and furthered by Dillon's methodology. Dillon approaches the policies of Constantine in two manners, both of which are integral to understanding their aims and conception. The first is analysis of the texts as legal documents in and of themselves, and the second is understanding these laws as communication between the emperor and his subjects.[138]

This thesis seeks to understand the imperial policies of the selected emperors. Legal texts including laws, edicts, rescripts and letters will be examined. This will be done in order to examine the change in intellectual and cultural climates of both Christians and pagans. This thesis is reliant on the analysis of literature, and the existing laws preserved in epigraphy, the Theodosian and Justinianic Codes, the *Collatio,* and within the texts of Christian historians such as Eusebius and Lactantius. These texts preserve the imperial policies in some form, whether divorced from context,

[132] Hunt 1985: 186; Kelly 2008: 3; Mackail 1920: 104-5; Matthews 2007: 7; Tougher 2000: 94.
[133] Matthews 2007: 6-7.
[134] Amm. Marc. 20.10.7; Matthews 2007: 5-6.
[135] Amm. Marc. 22.10.7 on Julian's school laws.
[136] Amm. Marc. 22.10.7; Downey 1957: 101; Ross 2016: 2-3, 201.
[137] Corcoran 2000a; Dillon 2012.
[138] Dillon 2012: 5.

or in their entirety. Overall, this thesis does not seek to rehabilitate the emperors, nor their regimes. Rather, it attempts to understand how the social, religious and cultural climates of their times specifically influenced their reigns and religious policies.

VII. Overview of Thesis

This thesis argues that the policies of Rome's last pagan emperors were a deliberate response to the social, cultural and religious environments in which they ruled. These policies sought the reinstatement of the *pax deorum*, and the preservation of *romanitas*, by ordering Christians and other non-traditional religions to comply with the state's prescribed religious behaviours. Christians were singled out, punished and executed due to their failure to comply with the imperial expectations. The policies of these emperors emphasised the need to ensure the continuation of divine benefaction, which is only possible through the exhibition of proper Roman behaviours. This fascination with tradition is not surprising in a period fraught with uncertainty.

This thesis is divided into three chronological case studies from the period of 249-363. Three important periods will be examined: the mid-third century, the Tetrarchy, and the post-Constantinian empire of Julian. This study will examine these periods as a whole in order to demonstrate trends in continuity and change within the imperial religious policies.

Chapter One examines the policies of two infamous mid-third century rulers: Decius and Valerian. These emperors are known in Christian literature as being among some of the first serious persecutors of the Church. Both are recorded as having strong anti-Christian sentiments and stances, a position this thesis aims to nuance. It will be argued these men responded to the problems facing their reigns by emphasising the importance of the *pax deorum*. This was achieved in a number of ways. Decius (249-251) called for universal sacrifice, which was not an innovative action. This had its roots in the early empire and had been used as a tool for unification since the inception of the empire under Augustus. Valerian (253-260) adopted a more direct approach which explicitly singled out Christians on account of their failure to recognise the Roman gods through ritual sacrifice. This occurred through the promulgation of two policies. These policies were presented in the form of an edict and a subsequent rescript to the Senate providing clarification to the instructions of the edict. Both constitutions responded to the issue of the *pax deorum*, and the preservation of *romanitas*. It will be demonstrated that the uncertain times, and the state of the empire were the main motivations for these policies, not a quest to kill Christians.

Chapter Two is an examination of the period preceding and following the Great Persecution of 303. In order to contextualise the lost edicts of the persecution, it is necessary to examine the period before their promulgation. In particular, it is vital to understand the different discourses of both Christians and pagans in circulation at this time. As such, the chapter begins with a brief analysis of specific individuals such Minucius Felix, Celsus, Origen, Porphyry, Lactantius and Sossianus Hierocles. It is evident these debates were motivators and legitimisation for a number of the persecutory measures of the Tetrarchy. As such, this chapter will also examine the policies of this decade, and analyse the ways in which they promoted the *pax deorum* and *romanitas*. It will be shown these earlier constitutions provided the foundation on which the legislation of the Great Persecution was built.[139] These policies are demonstrative of the Tetrarchic rhetoric surrounding the importance of preserving the *pax deorum* and *romanitas* as essential to the stability of the Roman empire. These texts are primarily concerned with the preservation of such values, and emphasise the importance of proper, Roman behaviours. It is these behaviours that are demonstrative of true *romanitas* that contribute positively towards the *pax deorum*. Finally, this chapter will examine the extant policies of Maximinus' direct intervention in the persecution. Maximinus continues to adopt the importance of *romanitas* for the continuation of the *pax deorum*, but enacts these in a dramatically more direct fashion. As such, a number of Maximinus' surviving policies will be examined in relation to the previous values of the earlier Tetrarchs. Again, it becomes clear the period of the Tetrarchy was also concerned with the same values as the mid-third century emperors.

Finally, Chapter Three discusses the shift in the imperial relationship with the church under Constantine and how this in turn affected the administrative decisions of Julian. The discussion of this chapter is centred around Julian's reversal of the new imperial position with the Church following Constantine's rule and that of his sons. Julian's upbringing as a Christian following the reign of Constantine, and how his understanding of ecclesiastical relationships with the imperial house influenced his policies. Many of these were aimed at undermining the Christian legitimacy created by his uncle and cousins. This chapter first addresses a number of changes in the imperial relationship with the church. Constantine's letters to the East following his defeat of Licinius in 324, and his participation in ecclesiastical councils such as those of Arles and Nicaea (314, 325 respectively) will be examined. Constantine's position as an imperial arbitrator in ecclesiastical affairs provided a foundation for later Christian rulers. Consequently, the world Julian ruled in was substantially different to the other two periods examined by this thesis. As such, the final part of this chapter is focussed on Julian's administration. The religious policies of Julian demonstrate his anxieties to see a reinstatement of the traditional gods and bring the *pax deorum* back to

[139] These are the Prices Edict, The Rescript on the Manichees, and the Damascus Edict on Incest.

prominence. This section focusses upon six of Julian's religious measures.[140] It is clear these measures were strongly shaped by Julian's personal understanding of morality and religion. Julian's attempt to enforce his own manifestation of pagan religion was not compatible with the religious or social climates of his time. Although he was driven by a desire to preserve the *pax deorum* and intrinsically Roman practices, Julian was ultimately consumed by his desire to enforce a brand of paganism too intellectual and ascetic for the empire at large.

These case studies show that the religious policies promulgated by Rome's last pagan emperors were a response to the religious, social and political environments of their reigns, and an attempt to preserve the *pax deorum* and *romanitas*. The periods examined by this thesis are markedly different, and each emperor was faced by different challenges. The emperors of the mid-third century (Decius and Valerian) were faced with a series of circumstances relating to the third century crisis including insecure frontiers, plague, and uncertainties regarding what comprised Roman behaviour after the introduction of the *Constitutio Antoniniana*. As a result, their policies sought to ensure a level of commonality throughout the empire which saw the official legislation, rather than mere expectation of, public sacrifice. The period of Diocletian and the first Tetrarchy also exemplifies such anxieties. The imperial policies of this time demonstrate a great emphasis on the importance of proper Roman behaviours. Diocletian and his colleagues in the first Tetrarchy promulgated a number of measures that called out non-Roman practices and behaviours. These policies include the Damascus Edict on Incest, the Prices Edict and the Rescript on the Manichees. The Damascus Edict and the Manichees Rescript attacked non-Roman practices, specifically in relation to those that could be deemed as Persian. However, the Prices Edict demonstrates an attack on Romans whose behaviours were not deemed as correct, namely the greedy profiteers who undermined the achievements of the emperors.

While the third-century emperors and the Tetrarchs were faced with the challenge of instabilities on the frontiers and the increase in Roman citizens, Julian encountered a different challenge. Julian's policies demonstrate a reaction to a world in which Roman identity was again changing. Following the Constantinian dynasty and their adoption of Christianity, Julian's attempts to preserve what he understood as intrinsically Roman practices were ultimately futile. Through a number of measures, Julian attempted to preserve *romanitas* and the *pax deorum* as he understood them. At this time, the understanding of both these concepts had changed. Julian's attempts to reverse the measures of his predecessors resulted in his use of what he understood as 'traditional' methods, although these were

[140] These are the School Law, Blood Sacrifice, Julian's relationship with the Jews, the Funeral Law and the Recall of Exiled Bishops.

more demonstrative of his own religious adherence. Ultimately, traditional pagan religion and its imperial legislation would die with Julian.

CHAPTER ONE:

THE MID-THIRD-CENTURY REIGNS OF DECIUS AND VALERIAN

I. Introduction

The second half of the third century saw a number of men assume the imperial purple. Very few, however, held it for a substantial amount of time, and even fewer managed to build and maintain a positive reputation. The crisis that followed the accession and reign of Maximinus Thrax in A.D. 235-238 is also marked by the introduction of centrally directed religious policies, many of which resulted in the persecution of Christians.[141] Some of these policies were not explicitly anti-Christian, but have been recorded as such.[142] Two emperors of this time, Decius and Valerian, are presented as persecutors in the hostile Christian tradition on account of their religious policies. It will be argued that these policies were a reaction to the social, cultural and religious environments of their time and ultimately sought the preservation of the *pax deorum* and the promotion of Roman behaviour.

This chapter will address the religious policies of Decius and Valerian and their imperial attitudes towards Christianity. These emperors promulgated their visions for Rome through different methods, but both sought the restoration of the *pax deorum* in order to consolidate their reign, and the empire. Additionally, the promotion of *romanitas* is clear in these policies. The dictation of proper Roman behaviours was required in the empire post the introduction of the *Constitutio Antoniniana*. The expansion of citizenship also brought disparity regarding what behaviours were acceptable, and what were not for Roman citizens. In effect, this was an important issue Decius needed to address in order to ensure complete divine benefaction. Decius' edict of universal sacrifice was not unusual for a new emperor and seems to have been concerned with gaining divine and political legitimacy through the restoration of the *pax deorum*, and preservation of *romanitas* following a particularly turbulent period.[143] Conversely, Valerian's policies demonstrate a direct approach to the problems of the empire. His edict and a subsequent rescript to the senate, which clarified the original ruling, varied in their intensity, but both singled out Christians as the cause of imperial instability. Christians were seen as failing to participate in traditional Roman rites, and thus, singled out. These policies aimed to ensure the preservation of intrinsically Roman practices, and the continuation of divine benevolence and protection through the *pax deorum*.

[141] The Christian literary tradition also recognises several earlier persecutions. Lactantius records two persecutions before the reign of Decius under the reigns of Nero and Domitian at *DMP*. 2.5-9 and 3.1-5. These persecutions are most likely fabrication. See Frend 2006 and Shaw 2015 on the Neronian persecution and for the alleged Domitianic persecution see Frend 2006: 504-5 and Jones 1992: 114-7.
[142] In particular, this occurs in relation to Decius' edict for universal sacrifice.
[143] Ando 2000: 206.

At the same time as these events, Christianity had become more established in the empire. Along with its growth, the Christian refusal to acknowledge and sacrifice to the traditional Roman gods had become an issue. Their failure to acknowledge the gods through appropriate displays of Roman behaviour meant Christians were at odds with the preservation of the *pax deorum*. The emergence of a group whose monotheistic beliefs lacked ancient origins made the Christians easy scapegoats.[144] The Christian failure to uphold Roman practices had (to some) caused a disruption to the *pax deorum*, which resulted in incursions, plague and general instability. Although Christians would become an ideological threat to the state, Origen wrote of the period of peace for them before the reign of Decius:

> That not even the fear of outsiders maintains our unity is clear from the fact by the will of God this has ceased for a long time now… (trans. Chadwick)[145]

The fact Christians failed to abide by the emperor's request and consequently participation in inherently Roman practices resulted in an understanding that they had angered the gods, and as such, brought Rome into disrepair. The policies of Decius and Valerian are demonstrative of an attempt to preserve Roman practices to ensure the maintenance of the *pax deorum.*

[144] Clarke 2005: 627.
[145] Origen. *C. Cels*. 3.15.

II. Decius and *Romanitas*

Decius rose to the purple following civil war with Philip the Arab in 249. A Roman senator, Decius adopted the cognomen Trajan following his accession.[146] Before his ascension, Decius was ordered by Philip to take command of legions in Moesia and Pannonia.[147] These legions would proclaim Decius as emperor, resulting in a march against Philip.[148] This resulted in the deaths of Philip and his son. Following his victory, Decius sought to consolidate his position through divine benefactions. He did so through the promulgation of an edict, which the Christian literary tradition understood as the beginning of centrally mandated persecutions in the mid-third century.[149] The edict appears to have ordered universal participation through sacrifice to the gods in order to ensure the continuation of Decius' reign, rather than the death of Christians. This section will discuss how it is possible to understand and contextualise the aims of Decius' edict through examination of the social, cultural and religious environments surrounding his reign.

The Edict (250)

In 250, Decius promulgated an edict requesting universal sacrifice. In contrast to previous emperors, ritual sacrifice under Decius was not only expected, but legislated. Although the text of Decius' edict does not survive, it can be contextualised and its aims reconstructed through examining the surviving receipts for sacrifice and analysis of another Decian constitution, a letter to the citizens of Aphrodisias.[150] Before discussing this letter, it is necessary to discuss what is known of the edict and its measures. Decius came to power in a tumultuous period, and following a large turnover of emperors especially between 238 (the year of six emperors) up to 249, it was necessary for the emperor to consolidate his position.[151] This came in the form of an edict requesting universal sacrifice. Such an action is not anything new nor an attack on Christianity. The edict seems to have drawn upon a number of earlier examples. Previously, these requests for universal sacrifice were made upon the accession or birthday of an emperor, but they did not require documentation in the same manner as the Decian edict.[152] Those who participated in the sacrifice were presented with a *libellus*, which was issued by a local magistrate.[153] There are forty-six surviving *libelli* issued in response to the edict of Decius, which can be used to understand the aims of the edict and how Decius sought to dictate Roman behaviour.[154]

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[146] Ando 2000: 206; Ando 2012: 150; Dmitriev 2004: 213-4; Pohlsander 1982: 214.
[147] Zos. 1.21.
[148] Zos. 1.22.2.
[149] Lact. *DMP*. 4; Euseb. *HE*. VII.1.1.-2.
[150] Schubert 2016: 172-3; Reynolds 1982: 141.
[151] Eutr. 9.1-4; Ando 2000: 206-7.
[152] Keresztes 1989: 44; Selinger 2004: 36-8.
[153] Clarke 1984: 27.
[154] Schubert 2016: 172, 192-4 provides a table of all these papyri.

The requirement for all citizens to possess a *libellus* as proof of their sacrifice demonstrates the new and bureaucratic approach to a common practice.[155] Due to the legal language and use of *libelli* during later periods of persecution, it is evident they were required by all who had sacrificed during the Decian period.[156] There is no clear suggestion on the surviving *libelli* that the sacrifice specifically targeted Christians. Instead, they state an individual had participated in the action, and acted as proof of this.[157] Those who did not comply with the Decian edict were punished. While the edict does not survive with record of prescribed punishments, there is an indication these punishments were left to the governor's discretion. This is unsurprising given the generally accepted state position on Christian punishment was at the governor's discretion.[158] Graeme Clarke provides a brief synopsis of the local prosecution process, which is centrally concerned with the discretion of the local governor.[159] There are a number of recorded Christian deaths during this period, with important figures such as Origen and St Babylas, the bishop of Antioch, both dying while in prison.[160] While these men were imprisoned, Cyprian of Carthage went into voluntary exile, where he remained until 'affairs were settled'.[161] There is evidence surviving in Cyprian *Ep*. 21 that a number of Christians attempted to avoid prosecution by bribing officials.[162] While these individuals would escape punishment from the state, they faced punishment in their Christian communities.[163]

The *libelli* indicate the terms of the edict through their language. The individual responses that survive in the papyrological evidence are indicative of what was expected as result of the edict. Decius' edict, according to the *libelli*, did not single out any particular group in Roman society for the purpose of a sacrifice, and thus was not persecutory in its nature.[164] The most common theme of the *libelli* is the inclusion of a statement that the recipient had 'always' sacrificed to the gods. [165] This suggests the individual had consistently supported the empire and acted in an appropriate Roman manner. The majority of these certificates follow a set formula as seen in the following example:

[155] Frend 1965: 405; Rives 1999: 143, 153; Schubert 2016: 173; Selinger 2004: 35-6.
[156] Clarke 2005: 687 makes note that all members of the empire were required to participate, regardless of status, sex, or age. Cypr. *Ep.* 55. discusses this.
[157] Such as *P. Oxy*. 41.2990.
[158] Clarke 1984: 35.
[159] Clarke 1984: 35-6.
[160] Clarke 1984: 36.
[161] Cypr. *Ep*. 7.1.
[162] Cypr. *Ep.* 21.
[163] Cypr. *De Laps*. 5-7.
[164] Knipfing 1923; Rees 2004: 59-71.
[165] Cypr. *Ep.* 22 is an excellent overview of the events of the Decian 'persecution' and the fates of those who failed to abide by the imperial order. Clarke 2005
: 627-9; Liujendijk 2008:158-9; Schubert 2016: 187-190.

> To the commissioners of sacrifices at Oxyrhynchus from Aurelius Gaius son of Ammonius and Taeus. Always has it been my habit to sacrifice and pour libations and worship the gods in accordance with the orders of the divine decree, and now I have in your presence sacrificed and made libations and tasted the offerings together with Taos my wife, Ammonius and Ammonianus my sons and … my daughter acting through me, and I request you to certify my statement. (June 27, 250). (trans. Luijendijk)[166]

While this is similar to the policies of his predecessors, the requirement for all members of the empire to produce a *libellus* as proof of this sacrifice demonstrates the bureaucratic nature of Decius' request, and an attempt to mandate sacrifice centrally.

Contextualising the Edict: Decian Anxieties

The aims and rhetoric of the edict can be further contextualised through analysing Decius' letter to the citizens of Aphrodisias. The letter, dated to 250, emphasised the requests of Decius, and his administrative understanding of proper behaviour. The date is important here, with the letter posted in the same year as the promulgation of the edict. Further, all surviving *libelli* cease following the year 250.[167] This places the letter in the same timeframe as the edict, and is indicative of Decius' attempts to dictate *romanitas* in his empire. The letter emphasises the importance of the proper completion of sacrifices and praises the Aphrodisians for their actions:

> Imperator Caesar C. Messius Q. Traianus Decius, Pius, Felix, Augustus, holding tribunician power for the third time, consul for the second time, designated for the third, father of his country, proconsul, and Q. Herennius Etruscus Messius Decius, Pontifex Maximus, holding the tribunician power for the first time, consul designate, to the Magistrates, Council and People of the Aphrodisians, greetings. It was to be expected, both because of the goddess for whom your city is named and because of your relationship with the Romans and loyalty to them, that you rejoiced at the establishment of our kingship and made the proper sacrifice and prayers (θυσίας δὲ καὶ εὐχὰς ἀποδοῦναι δικαίας). We preserve your existing freedom and all the other rights which you have received from the emperors who preceded us, being willing also to give fulfilment to your hopes for the future. Aurelius Theodorus and Aurelius Onesimus carried out the duties of ambassadors. Farewell. (trans. Reynolds)[168]

This correlates with the language of the *libelli.* The citizens of Aphrodisias, a free city, are here exemplary of the behaviours Decius dictated as Roman. Their completion of the 'proper sacrifice and prayers' indicate their loyalty to Rome and the empire. Similar letters from earlier emperors demonstrate the Aphrodisian relationship with the imperial house of Rome. The Aphrodisians were well aware of the importance of imperial benefactions, and acted accordingly with the accession of a new ruler, and they were conscious of what would appeal to Decius. These letters also reference

[166] *P. Oxy*. 12.1464; Luijendijk 2008: 162-3.
[167] Clarke 1969: 63; Schubert 2016: 173.
[168] Reynolds 1982: 141.

the piety and support of the Aphrodisians for new emperors.[169] The discussion of the proper prayers is further indicative of Decius' anxieties to see a return of the *pax deorum*, and *romanitas* to the empire to support his reign.

Conclusion

This section has discussed the ways in which the lost edict of Decius can be contextualised by examining surviving documents that share similar rhetoric of *romanitas*. It is apparent that Decius sought to preserve and promote proper Roman practices through the promulgation of an edict that requested empire-wide sacrifice to acknowledge the Roman gods. The bureaucratic nature of the edict and its requirement for all participants of sacrifice to possess a *libellus* demonstrated an attempt to dictate the terms of *romanitas*. Those who failed to comply with the edict would be punished accordingly. The aims of the edict can be further contextualised through examination of the letter from Decius to the citizens of Aphrodisias. The Aphrodisians' displays of proper Roman behaviour won them the benefactions of the emperor and provide an example of the behaviours Decius expected of the whole empire. Rather than seeking out the Christians, this edict demonstrates Decius' attempts to dictate the terms of *romanitas* as he saw necessary for the preservation of the empire. The universal sacrifice would ensure the continuation of the *pax deorum* and support his reign in a period of great political uncertainty.

[169] Cf. Reynolds 127, 133-5 on letters from Severus and Caracalla, and Gordian III.

III. Valerian

Valerian was born into a noble family and rose to power in 253 following his victory over Aemilianus in Spoletium. Valerian possesses the dubious honour of being the first emperor captured by the enemy in battle, dying in captivity under Shapur of Persia.[170] The first four years of Valerian's joint reign with his son Gallienus are recorded by Eusebius and Lactantius as a period of peace within the empire and for Christianity.[171] This peace ended in 257 when the first of two Valerianic religious policies was promulgated. This brought a three-year period of anti-Christian sentiment that would be rescinded by Gallienus in 260.

The exact catalyst for these policies is not certain. Underlying threats to the empire in the form of barbarian incursions, plague and financial strain provided an incentive to attack the most viable scapegoat, the Christians.[172] Christians were seen as culpable due to their failure to participate in pagan religious practices such as sacrifice. This in turn challenged the stability of the *pax deorum*. The initial edict of 257 declared the exile of leading church officials, and instructed all Christians to participate in sacrifice. It can be assumed this followed a similar, if not the same form as Decius' edict of universal sacrifice, albeit specifically targeting Christianity. The second constitution, a rescript addressed to the senate, was sent the following year.[173] Its aims provided clarification for the edict and prescribed harsher punishments. Not only would Christians who refused to acknowledge the Roman gods be put to death, but members of the Roman elite would also be punished. This included senators, equestrians, matrons, and members of the imperial household. If these individuals refused to apostatise, they would lose their property and titles.[174] Unlike many of his predecessors, Valerian was aware of the threats to his office, and as such set about ensuring the continuity of his regime. The emperor consolidated his family's position of power by appointing his son Gallienus as co-ruler in 253, and later his grandson, Valerian II as Caesar in 256.[175] Valerian's age, being in his sixties upon his accession, and senatorial status are possible indicators of his attitude surrounding *romanitas* and the preservation of the *pax deorum*.[176] These factors, combined with external threats, make for a convincing argument for Valerian's actions.

[170] Euseb. *HE.* VII. 30.1; Lact. *DMP*. 5; Zos 36.2; Potter 2004: 252.
[171] Euseb. *HE.* VII. 10. 3-4.
[172] *P. Oxy*. 42. 3035; Clarke 2005: 640-2. Refers to a man whose only crime it seems, was being a Christian.
[173] Cypr. *Ep*. 80.
[174] Cypr. *Ep*. 80.1.
[175] *CAH XII*^{2} 41; Potter 2004: 253.
[176] Potter 2004: 253.

The Edict (257)

Valerian's edict of 257 does not survive in full, but its aims are recorded by Cyprian and are further discussed by Dionysius of Alexandria in Eusebius' *Ecclesiastical History*.[177] The edict is the first concrete instance of state-mandated anti-Christian policy. Until this point in Valerian's reign, Christians had lived in peace throughout the empire.[178] Furthermore, the evidence of sporadic periods of persecution from this time to the reign of Decius suggests that religious tension existed in the provinces.[179] This is also indicative of a possibility that provincials were petitioning the emperor for action against Christians in their community. A possible case for this is discussed by Clarke and Luijendijk in relation to a papyrus from Oxyrhynchus that appears to be a warrant for the arrest of a man named Petosorapis who is also listed as a Christian.[180] Dating to 256 this papyrus falls in the year before the introduction of the Valerianic policies. However, it does indicate the repeated occurrence of provincial issues involving the Christians. Clarke suggests that the man's only crime was being a Christian, something that further supported by de Ste Croix, with reference to early imperial literature on this issue of Christians at Rome.[181]

It is noteworthy that in 257, the year of the edict's promulgation, Gallienus was fending off the Alamanni above the Rhine, while new Persian assaults on Roman frontiers beckoned Valerian to the front line.[182] As a result of these impending battles, financial assets would be required in order to pay the military. Although the edict does not survive, references made to its aims make it possible to understand what it may have instructed in its full. It is apparent it firstly sought to destabilise the Christian hierarchy. It ordered the exile of high-ranking church officials (bishops, deacons, presbyters) and forbade Christians from gathering in cemeteries.[183] Lukas De Blois has suggested that in its entirety, the edict ordered similar measures to the edict of Decius, demanding that the Christian clergy sacrifice and recognise the Roman gods to support the empire.[184] This is clear in the *Acts of Cyprian*, where the proconsul, Valerius Maximus describes the orders of the emperors:

> The most revered emperors Valerian and Gallienus have graciously sent me a document in which they order all those who do not practice Roman beliefs (*Romanam religionem*) to acknowledge the Roman rites (*Romanas caeremonias*). (trans. Musurillo)[185]

[177] Cypr. *Ep.* 80. *Act. Cypr*. 1.2-3. Euseb. *HE*. VII.10.3-9.
[178] Euseb. *HE*. VII.10.3-4
[179] Cf. Barnes 1968: 34-44 for information on earlier 'persecutions'.
[180] *P. Oxy*. 42. 3035; Clarke 1984: v4 8; Clarke 2005: 636; Luijendijk 2008: 38. The papyrus reads 'Petosorapis, son of Horus, Christian.'
[181] Tac. *Ann*. 15.44.3-8; Clarke 2005: 636; de Ste Croix 1963: 8-9.
[182] Zos. 1. 34-6.
[183] *Act. Cypr*. 1.1-7; Euseb. *HE*. VII.11.2-11; Selinger 2004: 85.
[184] De Blois 1976: 175.
[185] *Act. Cypr*. 1.5.

Here, Valerian's stipulations regarding proper Roman behaviours are clear through his order to ensure all citizens participated in the state-mandated rites, and demonstrated that they were practicing these 'proper Roman rites.' The narrative further suggests Christians who refuse to participate in these rites are directly at odds with the Roman gods. Those who failed to comply would be exiled.[186] Among the exiled officials were Cyprian and Dionysius of Alexandria, whose correspondence provides important information for this period.[187] Cyprian's communication with his friends indicates that some had been killed after being condemned to the mines in Carthage.[188]

Such punishment is indicative of how the emperor interpreted the seriousness of the crime.[189] However, this policy would soon be deemed as somewhat ineffective and incomplete, with a harsher second edict to follow in the next year. Although in exile, Cyprian was still able to write to his flock, and was still effectively running his diocese.[190] Dionysius of Alexandria would also suffer exile, and the account of his refusal to comply with the orders of the first edict.[191] Despite being exiled from their communities it is clear Christians were still able to correspond with their congregations. This may be indicative of the harsher measures of the corresponding rescript.[192] The fact a rescript was issued a year after the edict indicates there may have been some level of confusion regarding Christians of elite status.[193]

The Rescript (258)

The rescript of 258 provided the Senate with clarification regarding the orders of the previous years' edict. The rescript is recorded by Cyprian, who would be martyred on account of its orders:

> Bishops, presbyters, and deacons are to be put to death immediately. Senators, high-ranking Roman officials, and Roman knights are to lose their status and to be deprived of their goods, and if they still persevere in remaining Christians, they are to suffer capital punishment as well. Matrons are to be dispossessed of their property and sent into exile. All members of the imperial household who have either confessed earlier or would do so now are to have their goods confiscated and are to be sent in chains to the imperial estates. (trans. Clarke)[194]

[186] *Act. Cypr*. 1.3.
[187] Cypr. *Ep*. 40-45.
[188] Cypr. *Ep*. 76, 77; Davies 1957; Gustafson 1994: 421-2; Millar 1984:124-5.
[189] Garnsey 1970: 115-6.
[190] Cypr. *Ep.* 80 for example, gives information of the rescript, while he was still in exile.
[191] Euseb. *HE.* VII. 11.6-8.
[192] Selinger 2004: 90-1.
[193] Clarke 2005: 641-3; Selinger 2008: 91.
[194] Cypr. *Ep*. 80.3.1.

The rescript, while providing clarification for the Senate, also provided an opportunity for great financial gain for the Valerianic administration.[195] If one were to consider the number of senators and equestrians at Rome at the time of the issue of the rescript, it is clear Valerian was in a position to potentially gain a large amount of wealth. Bearing in mind there was a period of great economic distress before the instigation of the second rescript, its financial aims appear much more concrete.[196] That Valerian would make a significant fiscal gain if such confiscations were successful is based upon the assumption that those belonging to the equestrian order would have had minimum wealth of 400 000 HS, while for senators this was 1 million HS.[197] Indeed, perhaps it was easier for Valerian at the time to attack only those whose wealth would have been of benefit for the empire rather than instigating an empire wide tax like the *Fiscus Iudaicus*.[198]

However, the need for an ideological justification for such actions remains clear in surviving Christian accounts. Valerius Maximus again orders Cyprian to partake in the 'religious rites' as ordered by the emperors. However, Cyprian refuses, and his actions are denounced:

> You have long persisted in your sacrilegious views, and you have joined to yourself many other vicious men in a conspiracy. You have set yourself up as an enemy of the gods of Rome and of our religious practices; and the pious and venerable emperors Valerian and Gallienus Augusti and Valerian the most noble of Caesars have not been able to bring you back to the observance of their sacred rites. (trans. Musurillo)[199]

Here, it is clear that those who failed to comply with the orders of Valerian were seen as challenging the *pax deorum* and willingly disobeying the emperor's orders. Valerian's attempts to dictate Roman behaviours is clear in the Acts of Cyprian, and the consequences for those who failed to comply is clear. Despite Valerian's dictation of proper behaviour, Dionysius of Alexandria provided a Christian counterargument to the issue of appropriate prayers, claiming:

> We therefore worship and adore the one God and maker of all things, who also committed the Empire to the Augusti; most highly favoured of God, Valerian and Gallienus; and to Him we unceasingly pray for their Empire, that it may remain unshaken. (trans. Lake)[200]

Although he insisted that the Christian god upheld the reign of Valerian and Gallienus, this was not an acceptable answer: Christian prayers to the Roman gods were not permitted. In line with the

[195] *Act. Cypr*. 1.4. Keresztes 1989: 77; Whitehorne 1977: 195.
[196] Haas 1983: 136.
[197] These figures are indicative of the minimum wealth required in order to qualify for a position as an equestrian or senator. The table included in Scheidel and Friesen 2009: 76 includes estimations of the income and worth of these men. This demonstrates a much larger worth than the base requirement. Cf. Duncan-Jones 1994: 37-8; Talbert 1984: 48, 495-7.
[198] Garnsey 1970: 149 on the fining of senators; Thompson 1982: 329.
[199] *Act. Cypr*. 4.1.
[200] Euseb. *HE*. VII. 11.8.

Valerianic constitutions, Christianity was not accepted as a Roman religion. Dionysius would face exile on account of his failure to comply with Valerian's religious expectations, and presents an example of how Christian prayers were not understood as legitimate by the state.

Conclusion

The religious policies of Valerian were in their essence policies of Christian persecution. Further, these constitutions are reflective of Valerian's anxiety regarding the survival of intrinsically Roman practices. Actions of *romanitas* would ensure the preservation of the *pax deorum*, which was at this time a major concern to the emperors. Despite the first four years of Valerian's reign being a period of peace, a rise in invasions and pressured frontiers and economic pressures brought about the necessity for action. The first Valerianic policy, an edict promulgated in 257 ordered the exile of the Christian hierarchy, and seems to be a modified version of Decius' order for universal sacrifice. Exiling high profile Christians from their communities was not successful. Subsequently, the rescript was issued in 258, which condemned the exiled clergy to death and the stripping of titles and properties from elite Romans. This provided financial aid to the imperial treasury. While one possible reason for Valerian's promulgation of the second policy was fiscal, the ideological justification had to be made, and this was the preservation of the *pax deorum*. The language of *romanitas* is clear in the rescript, with a great emphasis placed upon what behaviours were expected of Roman citizens. However, following his capture by the Persians in 260, Gallienus would almost rescind these policies and issue an edict of toleration.[201]

[201] Euseb. *HE.* VII.13.2.

IV. Conclusion

The mid-third century brought with previously unchartered territory in relation to religious policies. The general instability of the time, both inside and out of the Roman Empire resulted in religious policies that sought the preservation of *romanitas* and the *pax deorum*. The two emperors examined in this case study, Decius and Valerian, promoted their visions through dictating the terms of proper Roman behaviour. However, the intensity of their policies differed.

The edict of Decius, although lost, can be reconstructed. Examination of another Decian document from Aphrodisias demonstrates the emperor's praise for citizens who conformed to his expected displays of Roman behaviour. Thus, it is not surprising the Decian edict may have requested participation in what he understood to be proper Roman practices. The edict appears to request an empire-wide sacrifice on behalf of the emperor. Each inhabitant of the empire was expected to partake in sacrifice and receive documentation to prove it. As a whole, the edict was heavily bureaucratic, requiring each citizen to possess a *libellus* as proof of sacrifice. The necessity to possess the *libellus* resulted in the alienation of groups who refused to sacrifice. This accounts for the alleged persecution of Christians. Those who did not comply with the edict would face punishment. This may have been a way for Decius to underline what he dictated to be proper Roman behaviour opposed to non-Roman behaviours exhibited by Christians. Decius' policies would influence his successor, Valerian.

Although influenced by the edict of Decius, Valerian's first edict requested similar conditions, but did ensure the exile of the higher Christian clergy who did not become apostates. However, it is the subsequent Valerianic rescript new approach to preserving *romanitas* and the *pax deorum*. Called back from exile, the Christian bishops, presbyters and deacons would be put to death. Members of the Roman elite such as senators, equestrians and matrons would be stripped of their titles and property if they refused to apostatise and sacrifice according to the Roman rites. The much more direct measures of Valerian ensured the death of Christians such as Cyprian of Carthage, and provided a financial supplement to the struggling economy.

CHAPTER TWO:

THE TETRARCHY AND THE GREAT PERSECUTION— PRECURSORS AND PERSECUTORS

I. Introduction

The period of the Tetrarchs heralded a brief period of imperial stability. However, by 303 the peace was over for Christians. The Great Persecution of 303-313 was fraught with attacks on the Christians who were blamed for external and internal pressures. This chapter will examine three pivotal aspects of the rule of the Tetrarchy in order to demonstrate why the measures of the persecution were deemed necessary. The first section of this chapter will focus on the discourse between pagan and Christians in the intellectual sphere. This will analyse the perspectives of both sides as seen in a range of polemic and apologetic texts, particularly within the works of Celsus and Origen. Further, it will be argued that men such as Porphyry and Sossianus Hierocles had great impact on the imperial attitudes and constitutions of this time. The discourse between Christian and pagan intellectuals is demonstrative of a time in which both sides were attempting to legitimise their own religion. Both Christians and pagans saw their religion as legitimate and as aiding the preservation of the *pax deorum* and *romanitas*. Pagans understood their practices as being the only correct way of religious display, while Christians were vying for their prayers to be seen as supporting the emperor and empire at large.

Secondly, this chapter will discuss three policies of the reign of Diocletian and the first Tetrarchy (292-302). These examples will be discussed in order to understand the underlying themes of the edicts of persecution. These constitutions, two edicts and a rescript will be examined with attention to how they promote *romanitas* and the preservation of the *pax deorum*. The edicts, the Damascus Edict on Incest and the Prices Edict will be examined alongside the Rescript on the Manichees. The language of *romanitas* used by these constitutions is pivotal to understanding the imperial position on correct behaviour before the beginning of the Great Persecution. It will be argued that these policies form the basis of the later Tetrarchic measures against the Christians. From analysis of these constitutions and other contemporary sources including the edicts of toleration preserved in Eusebius and Lactantius, it is possible to reconstruct the overall aims and rhetoric of the lost edict of 303.

Finally, the persecution and rule of Maximinus Daza will be examined, with emphasis placed upon the change of approach by the emperor following a number of failed policies enacted by his predecessors. It will be argued the need for the empire to conform to Maximinus' promotion of Roman behaviours was a key feature of his religious policies. Maximinus' religious policies display

a larger degree of centralisation than those of his predecessors and indicate his more personal approach to matters. Learning from the failed measures of the earlier Tetrarchs, Maximinus introduced a number of more focussed and combative approaches to Christianity. These measures included a network of pagan priests who would act according to the behaviours promoted by Maximinus. Further attacks on Christianity came in the form of the distribution of pamphlets denigrating Christ and the sprinkling of libations on food in the marketplace. Maximinus, sought to amend what he understood as a decline in Roman virtue and respect for the gods and ultimately, the *pax deorum*.

II. Intellectual and Christian Thought

Following Valerian's attempts to dictate Roman behaviour through the promotion of proper ritual practice, there was a great deal of debate in both Christian and pagan groups about what this should be. It is on account of this pluralism that the attempts of emperors to dictate Roman behaviours failed. This section will discuss the complex relationships between pagans and Christians in the period preceding the Great Persecution. At this time, religion was contested by the state, and the rhetoric of the policies of this time sought to reduce the tension to a binary opposition. Although there was a great diversity in both pagan and Christian practices, the Tetrarchs reduced this down to a dichotomy of Roman and non-Roman behaviours. However, this was not possible; conflict within pagan and Christian groups was common, and led to a series of debates. These often included debates against the other, with some occurring at Nicomedia in the lead up to the Great Persecution. These debates influenced the policies of the Tetrarchs, and resulted in similar rhetoric of right and wrong behaviours being included in imperial legislation. To begin with, this section will address three early examples of Christian and intellectual discourses, with brief analysis of Minucius Felix's *Octavius*, Celsus' *On the True Doctrine*, and Origen's *Against Celsus*. Following this, the discourses of Lactantius, Porphyry and Sossianus Hierocles will be discussed. These men were most likely in Nicomedia prior to the first edict of the Great Persecution, and held influential positions in the imperial court. It will be argued that the debates between these men influenced the emperors and resulted in religious policies that explicitly defined what was right and wrong, especially in relation to Roman behaviour.

Minucius Felix, Celsus, and Origen

The *Octavius* of Minucius Felix addresses the Christian perspective towards Roman religion and Christianity in the period before the crisis of the third century.[202] Minucius presents his debate in the form of a dialogue similar to Plato's *Republic*, and Cicero's *On the Nature of the Gods*.[203] The use of this genre indicates his desire to provide a Christian response to pagan dialogues. The Christian influence on the *Octavian*, according to Clarke, is clear through its reliance on a number of phrases and structures from Tertullian's *Apology* and *Ad Nationes* of c.197.[204] As a result, it aids the dating of the *Octavian*, suggesting a date following Tertullian's works.[205] Despite being heavily influenced by his predecessor, Minucius' approach is much less aggressive, with the arguments of

[202] Minucius was writing in the second century.
[203] Clarke 1974: 8 discusses the issues surrounding the dating of the text.
[204] Clarke 1974: 8-9.
[205] Clarke 1974: 9.

the pagan Caecilius similar to the earlier arguments of Fronto.[206] The following passage presents Minucius' assessment of Roman religion:

> And so the conclusion I draw is that while the origin and nature of the immortal gods may still remain obscure, there nevertheless continues to be unhesitating agreement from all nations about their existence. This religious belief is so venerable, so beneficial, and so salutary; and I cannot therefore tolerate that anyone in the arrogance of his irreligious 'enlightenment' should have the effrontery to try to weaken or destroy it. (trans. Clarke)[207]

This passage indicates Christian awareness of the legitimacy of state religion during Minucius' time. The representation of the legitimacy of Roman religion is so great that those who challenge its legitimacy are intolerable. This is refuted by the Christian, Octavius, who discusses the problems that stem from this understanding of the world.[208] The text draws a number of its examples from Cicero's *On the Nature of the Gods*.[209] Through utilising Ciceronian examples, Minucius lends authority to his own agenda, following a rhetorical framework that had been previously accepted in the pagan philosophical discourse. The use, and inversion of similar arguments would no doubt have effect on the audience of the *Octavius*. Minucius' dialogue seeks a legitimisation of Christian practices through its arguments.

While Minucius presents an early Christian apologetic, Celsus presents an example of an early anti-Christian polemic. Celsus composed his Middle Platonic treatise *On the True Doctrine* at the close of the second century.[210] Origen would respond to this text in the mid-third century, the year before Decius' accession. The survival of Celsus' work is credited to Origen's refutation, which counters the claims made through theological Christian responses. These texts became foundations for later writers both pagan and Christian.[211] As a result of Celsus' philosophical background, he criticises a number of Christian practices on account of their failure to promote appropriate ways of living. This became a pertinent issue in the imperial measures of the Great Persecution. Further, as an adherent of Platonism, (a directional doctrine concerned with providing a guide to living), Celsus disagreed with a number of Christian beliefs due to its eschatological nature. Consequently, Celsus understood that Christians were more concerned with life after death than the life they were presently living. Further, Celsus stated that Christianity was deeply flawed through its failure to

[206] Chadwick 2001: 122-3; Clarke 1974: 8-9; See also Baldwin 1990: Fronto's works do not survive, and the only references we have of his anti-Christian stance are found in other works, thus, completely out of context and probably not overly accurate representations of what was initially argued.
[207] Min. Fel. *Oct*. 8.1.
[208] Min. Fel. *Oct*. 35.4.
[209] Lane Fox 1986: 300; Van Winden 1954: 73 suggests that in particular, the text draws great influence from Cic. *Nat. D*. I.33-36. Clarke notes all instances that can be contrasted between Minucius and Cicero in his index.
[210] Chadwick 1950: xi; Hoffman 1987: 30.
[211] Including Eusebius' *Against Hierocles* and Julian's *Against the Christians*.

adhere to a legitimate and ancestral religion.[212] Celsus demonstrated his disgust that the religion was for the sinners, childish, and wretched, indicating his aversion to their belief in life after death.[213] This is a view perpetuated in the anti-Christian policies of Valerian, and something that would occur in Tetrarchic rhetoric. Celsus also draws attention to the disunity and disorganisation of the Christians through their failure to agree, even with each other, a lack of unity was a threat to the empire. In a particularly pertinent statement, he states: 'the only thing they (Christians) have in common is the name Christian…'[214] Such a statement is reflected in other criticisms of Christianity, and also by other Christians.[215] Perhaps the most damning of Celsus' attacks against the Christians is his claim that there is nothing legitimate in their worship, and that Christians were in fact apostates from the 'true' religion.[216]

The association between Christians and illegitimacy is stressed through examination of 'Christian' practices, including cannibalism and incest. Some pagan intellectuals understood this as a regular part of Christian worship.[217] This is something Origen attacks:

> We ought to despise the kindly disposition of men and of emperors if to propitiate them means not only that we have to commit murders and acts of licentiousness and savagery, but also that we have to blaspheme the God of the universe or make some servile and cringing utterance, alien to men of bravery and nobility who, together with the other virtues, wish to possess courage as the greatest of them. Here we are doing nothing contrary to the law and word of God. We are not *mad*, nor do we *deliberately rush forward to arouse the wrath of an emperor or governor*… (trans. Chadwick)[218]

The sentiment of this statement is repeated by Dionysius of Alexandria.[219] A level of commonality is apparent between both Christians and pagans here; both desired divine protection for the state and emperor. It is clear that Christians, seeing this common goal sought acceptance for their beliefs since they understood themselves to be supporting the empire. Despite Dionysius' insistence that he was praying to the Christian god for the sake of the empire, his prayers were rejected by the state.[220]

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[212] Origen *C. Cels*. VII.28; Hoffman 1987: 21, 33: 'In short, Celsus may be regarded as a defender of the old order and its religious values, one who regarded Christianity as a potentially seditionist cult, retailing new ideas that seemed to him unwarranted modifications of old doctrines.'
[213] Hoffman 1987: 74-5.
[214] Origen *C.Cels*. 3.12.
[215] Cypr. *De Laps*. 3. Julian *Ep*. 41.
[216] Hoffman 1987:115, 122.
[217] Min.Fel. *Oc*t. 31.2.
[218] Origen, *C. Cels*. VIII.65. Italics from Chadwick.
[219] Euseb. *HE*. VII. 11.8.
[220] He was exiled.

Additionally, Christians caused offense to the established practices, including their abstention and apostasy from tradition and the established laws.[221] This claim became a major argument for Julian's policies in the mid-fourth century.[222] Moreover, this became an important point of exploitation for the Tetrarchy (as is examined in section III). In order to demonstrate this, Celsus states, '…these customs have in fact existed, and Pindar seems to me to have been right when he said that custom is the king of all…'.[223] The importance of tradition to both Greek and Roman societies at this time was evidently of great importance. However, Origen disputes this, replying to Celsus' argument:

> …From these facts, the argument seems to Celsus to lead to the conclusion that all men ought to live according to their traditional customs (τὰ πάτρια) and should not be criticised for this; but that since the Christians have forsaken their traditional laws and are not one individual like the Jews they are to be criticised for agreeing with the teaching of Jesus… (trans. Chadwick)[224]

The emphasis upon the lack of tradition ultimately leads to Christianity's lack of legitimacy.[225] Further, the failure of Christians to abide by what was understood as normal practices is made evident by the issue of iconoclasm. Celsus astutely observes that not all Christians are opposed to images, but states that most are.[226] Such a comment both emphasises the disunity within the religion, and the apparently blasphemous behaviour of these individuals:

> *You pour abuse on the images of these gods and ridicule them, although, if you did that to Dionysus himself, or to Heracles in person, perhaps you would not escape lightly. But the men who tortured and punished your god in person suffered nothing for doing it, not even afterwards as long as they lived…* To this I would reply that we do not pour abuse on anyone since we are persuaded that 'revilers shall not inherit the kingdom of God'… So we do not laugh at lifeless statues, but, if at all, only at people who worship them. (trans. Chadwick)[227]

This displays the Christian understanding of this matter. They are not required to accept the images on account of their belief in the Christian god, and indeed, being able to laugh at those who accept cult images. In the pagan context, this was understood as challenging the old ways, (τὰ πάτρια). There is no doubt this would be something unnerving to those in power, and moreover, an issue that would not be tolerated by the Tetrarchs in their efforts to promote imperial stability guaranteed by the gods.

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[221] Cf. Diocletian on the Manichees: *Collat*. 15.3.
[222] Cf. Julian. *Caesars.* 366B; Julian *Or.* 7.228.
[223] Origen *C.Cels*. V.34.
[224] Origen *C.Cels*. V:35.
[225] Cf. the policies of Valerian (*Act. Cypr*. 1.1-7; Euseb. *HE.* VII.11.2-11); Diocletian on the Manichees and incest (Collat. 6.4; 15.3.).
[226] Origen *C.Cels*. III.17.
[227] Origen *C.Cels*. VIII.41.

Nicomedia Before 303: Lactantius, Porphyry, and Sossianus Hierocles

The presence of influential figures at the imperial court in Nicomedia prior to the promulgation of the edicts of persecution is well attested. In particular, the roles of Porphyry of Tyre and Sossianus Hierocles are important to consider. Digeser states that Porphyry partook in one of the first debates surrounding religious toleration at Nicomedia.[228] This is supported by an instance in Lactantius' *Divine Institutes* in which an unnamed philosopher (who is thought to be either Hierocles or Porphyry) justifies the actions of the emperors during the persecutions of 303 and beyond.[229] The reference made by Lactantius to the 'piety and foresight' of the emperors is very much in line with the language used to describe the Tetrarchs in inscriptions.[230] The inclusion of such rhetoric in Lactantius' work is indicative of the emphasis of such values in the Tetrarchic imperial rhetoric.[231] Sossianus Hierocles is also accountable at Nicomedia. Hierocles is well attested as being a vigorous persecutor in the period of the Great Persecution and is noted to have undertaken his role with great zeal.[232] Before the outbreak of the persecution in 303, Hierocles was stationed as *vicarius* in Bithynia, in prime position to carry out the instructions of the edicts.[233] This section will discuss the intellectual discourses presented by these figures, and how they may have influenced the rhetoric of the edicts of the Great Persecution.

Porphyry adopted Christian exegesis to promote his understanding of the world.[234] Berchman describes the philosopher as 'one of the last defenders of *romanitas*.'[235] This is an important statement, given Porphyry's attempts to preserve traditional Roman religion, and his comments relating to this throughout his works. Porphyry's *Against the Christians* does not survive in its full form, due to the orders of Constantine and Theodosius I that the text should be burnt.[236] However, fragments of the work survive in the Christian refutations against the philosopher.[237] A number of Porphyry's arguments are based upon the lack of virtue possessed by Christians as well as the deceitful ideas the text promotes.[238] The Porphyrian discourse is clear in its stance regarding the lack of Christian morality and virtue in line with his own understandings. Following the arguments of Celsus, an issue that is recurrent in both texts is the apparent lack of Christian virtue, as well as a

[228] Digeser 2000: 91.
[229] Lact. *DI*. 5.7.2; Digeser 1998: 130; Simmons 2015: 42.
[230] See Davenport 2014.
[231] Davenport 2014: 56-7.
[232] See above.
[233] Barnes 1982: 141.
[234] Digeser 2012: 77 suggests it cannot be ruled out that Porphyry began his life as a Christian.
[235] Berchman 2005: 114.
[236] Soc. *HE*. I.9 includes a letter of Constantine ordering the burning of Porphyry's works; Digeser 1998: 130.
[237] *C.Th.*16.5.66 makes reference to the 'impiety' of Porphyrians. The actual orders are for the burning of the works of Nestorius, but anything deemed heretical seemed to have met the same fate; Berchman 2005: 114; Harries 2012a: 22; Jones 2005: 149; Lane Fox 1986: 586; Simmons 2015: 197.
[238] Hoffman 1994: 17: 'From the standpoint of the Neo-Platonic school, Christianity was contemptible because it was simple.'

failure to adhere to a directional philosophy. Further, Porphyry found the Christian lack of *romanitas* quite insulting, something he would make clear in his works. Indeed, this is a common sentiment in anti-Christian invective; Julian would also expound his belief in the lack of Christian morality.[239] It is clear Christianity's virtues were not compatible with a life that would honour the gods.[240]

Moreover, it is important to also acknowledge Porphyry's influence on imperial constitutions. It is conjectured by a number of scholars that Porphyry's works provided a justification for the actions of the Tetrarchic emperors.[241] Porphyry authored a text similar to Sossianus Hierocles', in which he contrasted the life of Apollonius of Tyana with that of Christ. The position and influence of these pagan 'holy men' in the empire is of the utmost importance. These men sold themselves to emperors and aristocrats as advisors bridging the mortal and divine.[242] Porphyry was in a position whereby the ruler of the time was receptive to such ideas. Apollonius of Tyana became a figure these later intellectuals sought to emulate.[243] However, there were individuals following Apollonius whose actions as 'holy men' were fraudulent. Lucian's Alexander of Abonoteichus used his position as bridge between man and god to take advantage of the wealthy who sought the advice of the new god Glycon.[244] Despite the fraudulent behaviours of Alexander, individuals like Porphyry became valued advisors to the imperial administration. Porphyry's involvement within the imperial court is attestable. It is clear in Porphyry's works that he, like Celsus, found Christian abandonment of tradition quite alarming.[245] This in itself becomes a large rhetorical point in the legislations of the Tetrarchs, with instances in the Manichean Rescript underlining the great danger of 'new and unheard of sects'.[246] The influence of these views in such a volatile period is discussed by Digeser.[247]

Porphyry's work was influential on Julian's anti-Christian treatise, *Against the Galilaeans*, in which he uses a number of similar arguments. The treatise met a similar fate to Porphyry's anti-Christian work, and only survives in fragments preserved in attacks made against the emperor.[248] Julian's

[239] Cf. Julian *Caesars* 336B; *Ep*. 36. 423D.
[240] Digeser 2000: 7 also suggests that Porphyry's beliefs were well in line with the aims of the Tetrarchy.
[241] Barnes 2011: 110; Digeser 2000: 7; Greenwood 2016: 122. Indeed, this is again apparent in the formation of Julian's religious policies, wherein the importance of sacrifice is also clear. See also Johnson 2013.
[242] Cf. Wendt 2015: 195-7 who discusses the competition between pagan 'free-lance experts', with such competition rife in their attempts to gain influence.
[243] Anderson 1994: 36-7: on Porphyry's account of Plotinus as a Neo-Platonic saint; Fowden 1982: 36.
[244] Ogden 2013: 325-7
[245] Euseb. *PE.* 1.2. 'And to what kind of punishments would they not justly be subjected, who deserting the customs of their forefathers have become zealots for the foreign mythologies of the Jews, which are of evil report among all men?'
[246] *Collat.* 15.3.1.
[247] Digeser 2012.
[248] Hunt 2012: 251.

arguments against the Christians, who he terms Galilaeans, often focusses on their abandonment of traditional religion, which draws similarity with earlier anti-Christian invectives.[249] Indeed, the Christian abandonment of the religions that Julian sought to reinstate posed a threat to the legitimacy of the emperor, and what he hoped to achieve during his reign. These themes are frequently used throughout Julian's writings and imperial constitutions, demonstrating his preoccupation with the preservation of traditional religion in the empire.

The imperial administrator Sossianus Hierocles authored his anti-Christian treatise, *Lover of Truth*, adopting a much less aggressive line than Celsus.[250] This work was addressed to the Christians rather than against them, unlike the overt targeting of a number of other writers.[251] Most importantly, and much to the ire of Eusebius and other Christians, Hierocles parallels the life of the philosopher Apollonius of Tyana with that of Christ.[252] While the authorship of the *Against Hierocles* is contested, the author of the text is nevertheless displeased with the purported beliefs of Hierocles.[253] However, following the arguments of Jones, this thesis will suggest the text was authored by Eusebius. The work serves as a mechanism for discrediting the beliefs of Hierocles, who is frequently described as Φιλαλήθος sardonically throughout the text.[254] Unlike the dialogue between Celsus and Origen, this work demonstrates the beliefs of a man whose presence in the imperial administration is strong and influential.[255] Although Eusebius' response to Hierocles' work sought to de-legitimise the view of Apollonius as a holy man, it does not do so in the same manner as the *Against Celsus* served to undermine Celsus. Indeed, most of the attack is focussed upon Philostratus' *Life of Apollonius* rather than the content of the *Lover of Truth*.[256] Hägg conjectured that the original pamphlet would have most likely mimicked the form and arguments of Celsus' work, and was divided into two books.[257] The first of these books would have focussed upon the arguments against Christianity, while the second served as a parallel between Apollonius and Christ.[258] In a similar manner to his description of the earlier ruler, Eusebius emphasises the importance of the position held by Hierocles in influencing the imperial position.[259]

[249] Julian *CG*. 238A-C.
[250] Jones 2005: 149-50.
[251] Hägg 1992: 140; Jones 2005: 150.
[252] Euseb. *CH*. 5; Lane Fox 1986: 606.
[253] Hägg 1992: 145-6; Jones 2005: 148 accepts authorship of Eusebius.
[254] E.g. Euseb. *CH*. 4.4.
[255] Cf. Euseb. *CH*. 20; Lact. *DMP*. 16.4; Barnes 1982: 141.
[256] Jones 2005: 149.
[257] Hägg 1992: 140.
[258] Hägg 1992: 141.
[259] Cf. Euseb. *CH*.4.4; Lact. *DMP*. 16.4.

Conclusion

The works of both Christian and pagan intellectuals of the mid to late third century demonstrate a number of issues within these communities. It is clear these ideas influenced imperial policy due to the ideas of Christian disunity (which would later be played upon by Julian),[260] and the illegitimacy of the religion, as well as adherents being uneducated and generally immoral people.[261] The influence of these ideas is evident in the policies and documents of the Tetrarchs, especially prevalent in those of Maximinus Daza. As will be examined in this chapter, the threat posed by Christianity and other religions to *romanitas* and the stability of the empire was addressed by the Tetrarchs. The discourse between pagans and Christians of this era demonstrates a variety of views, and a multitude of attacks on both sides. The texts that have been examined as case studies for this section demonstrate this discourse. Ultimately, these ideas would be reflected in a number of the policies of the Tetrarchs and influenced the imperial approach to *romanitas* and stability of the empire through the legislation of religion and morality.

III. Diocletian and the First Tetrarchy: The Centrality of *Romanitas*

Rising to power as sole ruler in 284, Diocletian was born as Diocles into a family of humble origins.[262] Upon his accession, the emperor styled himself in a more Roman guise, adopting the name Gaius Valerius Diocletianus.[263] As was the case for a number of his predecessors, Diocletian was a soldier and rose to power following a period of military unrest.[264] Ruling alone until 285, Diocletian then appointed Maximian as his co-emperor.[265] Following this appointment, Diocletian took the *signum* of Jovius, while Maximian took the *signum* of Herculius in order to style themselves after their divine patrons.[266] These actions signalled the link with divinity the emperors wished to possess and promote through their legislation. Subsequently, the emphasis on morality and the gods was strong in their constitutions.[267] By 293, the Tetrarchy had been fully established with the appointment of two Caesars, Constantius and Galerius.[268] Diocletian and Galerius based themselves in the East, while Maximian and Constantius governed the West. Despite this divide, Tetrarchic documents demonstrate that Diocletian, the most senior of the emperors, had supreme authority throughout the entire empire.[269]

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[260] Julian. *Ep*. 41. 435B.
[261] See above discussion regarding Celsus' view of Christianity.
[262] Lact. *DMP*. 9.11; Corcoran 2008: 228; Williams 1985: 22.
[263] Corcoran 2012: 39; Williams 1985:36. This became a target in a number of invectives made against Diocletian, with Lact. *DMP*. 9.11 mocking the emperor's modest origins.
[264] Corcoran 2008: 229.
[265] Corcoran 2000a: 5; Rees 2004: 6; Williams 1985: 43.
[266] Oros. 7.25.1; Ocker 1986: 349; Williams 1985: 49: Diocletian became Jovius, and Maximian became Herculius.
[267] Honoré 1981: 137.
[268] Corcoran 2000a: 5; Harries 2012a: 31; Williams 1985: 62-3.
[269] Corcoran 2000a: 5; Rees 2004:7-8.

The Tetrarchy is infamous for the promulgation of a number of imperial edicts that resulted in the Great Persecution. Although the original edicts of the persecution do not survive, it is clear these instructed four distinct measures between February 303 and January/February 304.[270] Ste Croix lists the four stages of the Great Persecution as recorded by Eusebius; 1) The destruction of all churches and scriptures, with the prohibition of Christian gatherings;[271] 2) The arrest of Christian clergy;[272] 3) The offer of pardon to all arrested clergy on the condition they sacrificed;[273] and 4) a universal instruction that all were to sacrifice or face death.[274] It is possible to reconstruct the aims and rhetoric of these policies through examining legal constitutions from the first decade of the Tetrarchy, which are not generally discussed in conjunction with these later (and lost) policies.[275] The later palinodes of Galerius and Maximinus Daza are also essential to discovering their rhetoric, helping us understand the motivations behind the earlier stages of persecution.[276] The following passage from Galerius' palinode indicates the general aims of the persecution:

> Among all other arrangements which we are always making for the advantage and benefit of the state, we had earlier sought to set everything right in accordance with the ancient laws (*leges veteres*) and public discipline of the Romans (*publicam disciplinam Romanorum*) … (trans. Creed). [277]

This immediately presents Galerius' view that those who do not participate in Roman behaviour are enemies of the state. On account of their failure to participate in Roman rites, Christians failed to exhibit behaviours beneficial to the state, and to follow the 'public discipline' of the Romans. Such language ensures that these individuals are seen as jeopardising the universal efforts of the empire to ensure divine protection and benefactions. Indeed, this language is also used to address those Romans who engaged in practices deemed as inherently non-Roman such as incest.[278] These individuals, just like the Christians, failed to observe the correct behaviours as dictated by the emperors and their legislation.

Here, the imperial anxiety to ensure the preservation and continuation of both the *pax deorum* and *romanitas* and is portrayed as beneficial for the entire empire though participation in collective sacrifice. These issues appear to be at the forefront of earlier Tetrarchic policies. The necessity for

[270] de Ste Croix 1954: 75-7.
[271] Euseb. *HE*. 8.2.4.
[272] Euseb. *HE*. 8.6.8-9.
[273] Euseb. *HE*. 8.6.10.
[274] Euseb. *MP*. 3.1; cf. Lact. *DMP*. 34-35
[275] Cf. Baynes 1924; de Ste Croix 1954; Keresztes 1983.
[276] Cf. Euseb. *HE*. 8.17.6-10; Lact. *DMP*. 34.1-5.
[277] Lact. *DMP*. 34.1.
[278] This is discussed in more detail below, on p.50.

such measures is clarified in Book 5 of Lactantius' *Divine Institutes*. Speaking through the mouthpiece of a philosopher who is most likely Porphyry, Lactantius writes:

> … He launched into praise of the emperors 'whose piety and foresight' to quote his own words, "had been revealed most notably in their defence of worship of the gods; for the good of mankind they had eventually decided to control a wicked and maudlin superstition in order to free all people for legitimate religion and the experience of divine goodwill…" (trans. Garnsey).[279]

Clearly, the persecution was motivated by the desire of the emperors to ensure the stability of the *pax deorum* and the continuation of correct, Roman behaviours. These motivations can be further contextualised through examination of three constitutions from the first decade of the Tetrarchy (292-302). These earlier documents, although not immediately concerned with the Christians, demonstrate a continuation of imperial ideology from the third century with strong emphasis on the theme of *romanitas* and the anxiety to preserve the *pax deorum*.[280]

This case study will examine the following constitutions: the Damascus Edict (295), the Edict of Maximum Prices (301), and the Letter on the Manichees (302). Each of these are highly moralising in their nature and demonstrative of the foundation of later Tetrarchic policies.[281] The attitudes of the Tetrarchs towards anything 'non-Roman' in these documents is made clear, and suggest the integral position of *romanitas* in imperial polices and rhetoric at this time.[282] These policies build upon the rhetoric of correct Roman practice as presented by Valerian in the third century. But the rhetoric of the Tetrarchy also emphasises a Roman and non-Roman dichotomy that had not been as prevalent in earlier pronouncements.[283] This is evident through the contrast between Rome and her external enemies (Persia), and those enemies dwelling within the empire (such as the profiteers of the Prices Edict).[284] It is clear that while the Tetrarchy concerned themselves with promoting *romanitas* and morality within their policies, this was a continuation of the precedent set by the mid-third-century emperors, albeit intensified. Consequently, Diocletian's policies possessed a strong focus on this idea, and the theme is emphasised in the three documents that comprise this case study. These constitutions, although not always pertaining directly to religious customs, possess a strong moralistic tone that would become the cornerstone of later Tetrarchic policies against the Christians.[285]

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[279] Lact. *DI*. 5.7.2.
[280] Lact. *DMP*. 7.2, 9.1; Euseb. *HE*. VIII. 4.2.
[281] Corcoran 2000a: 135-6, 173-4, 205-233.
[282] Corcoran 2000a: 173.
[283] Harries 2012a: 72.
[284] Corcoran 2000a: 205-233.
[285] Such as that of Galerius and Maximinus Daza.

Manifestations of *romanitas*

As a set of values, *romanitas* encompasses many different manifestations. In particular, these can be divided into three themes which are prevalent in Tetrarchic letters and legislation. These themes are: (a) the dichotomy between human and non-human (or, animalistic) behaviour, (b) the importance of preserving the *pax deorum*, and (c) the virtuous example set by the emperors. This theme is consistently used to divide the good from the bad – possessing Roman traits would distinguish Romans from the barbarians. Further, promoting *romanitas* ensured direct influence on activities that would promote the *pax deorum*; citizens who fulfilled the role of being a Roman would ensure happy gods and thus, imperial stability and certainty. It was particularly important to demonstrate the value of *romanitas* in a period that had been fraught with various instabilities for the empire at large.[286] The importance of *romanitas* is further emphasised through the rhetoric of human and non-human actions. These themes are a lesson in morality for the empire. Those failing to partake in Roman behaviours are noted as non-human, directly challenging the gods, and ignoring the instruction of the emperors. Furthermore, it became necessary for this issue to be acknowledged following Caracalla's grant of universal citizenship in 212, with the need to achieve a universal set of Roman behaviours apparent in a larger and more diverse citizen base. With this reform came the necessity to conform to, and acknowledge traditional Roman practices.[287] The introduction of universal citizenship brought about a new issue pertaining to what constituted *romanitas*. No longer was this based upon what Dench categorises as 'polis-based' and 'participatory' aspects. Instead it brought with it confusion regarding what was or was not Roman.[288] With the empire now encompassing a larger number of citizens, some of these new inhabitants possessed practices far removed from Roman expectations, even despite the state's attitude of general toleration.[289] This was especially prominent in relation to marriage, with a number of Diocletianic texts discussing matters pertaining to marital practices.[290]

a) Human vs. Animal

The first of these themes is the dichotomy of human and animalistic behaviours. This was a frequently utilised rhetorical device in Roman literature and had a long history. In particular, this

[286] This rhetoric largely ignored the achievements of Aurelian in the 270s. Aurelian would continually be ignored, or vilified by imperial rhetoric due to his success cf. Constantine *Oration to the Saints*: 24; Julian *Caesars* 313 D; Hurley 2012: 75-6; Watson 1999: 193.
[287] Ando 2000: 395 suggests that Caracalla had introduced the *Constitutio Antoniniana*. in order to 'lead the people of the empire in a unanimous display of consensual piety...' This in turn suggests the motives of the Tetrarchs may have been shaped by this, and behaviours perceived as non-Roman were equated as a threat to the *pax deorum* and ultimate stability of the empire.
[288] Dench 2005: 138.
[289] Ando 2012: 97.
[290] *CJ*. 5.5.5.

rhetoric relied on Ciceronian examples, with many works emulating his rhetorical devices.[291] This is described by Maric as an attempt to remove the bestial enemies from 'the state's legal system… deny(ing) them legal rights… claimable by truly human citizens.'[292] Cicero favoured this dichotomy within his invective.[293] The treatment of figures such as Antony, Piso and Verres (among others) within Cicero's invectives is as non-human.[294] For example, in Cicero's *in Pisonem*, Piso is labelled as a beast (*belua*) thereby embodying the characteristics of something inherently non-Roman, which Steel suggests makes Piso the antithesis of Roman.[295] Piso's lack of restraint is a presented as a fatal flaw, and through his non-Roman behaviour, this is used as a rhetorical device by Cicero to detract from Piso's legitimacy. Similar rhetoric is subsequently employed by the Tetrarchic administration. Ultimately, behaviour that did not conform with the expectations of *romanitas* rendered the individual as non-human. This device is frequently utilised within the three following documents.[296]

b) Maintaining the Pax Deorum

The importance of the *pax deorum* was a direct implication of *romanitas*. It was necessary for the *cives Romani* to demonstrate support of the traditional gods of the state, and was an expectation of all citizens.[297] The importance of the *pax deorum* became a major theme in the Tetrarchs' promotion of *romanitas.* The tumultuous environment of the third century led to a greater emphasis on this importance for imperial legitimacy and stability, as has already been exemplified by the first chapter of this thesis. The use of this rhetoric in the Tetrarchic documents clarifies this, with offending individuals portrayed as threatening the stability of the empire brought about by the gods.[298] Further, the preservation of the *pax deorum* also relates to individuals following the moral example set by the Tetrarchs.

c) Example of the Emperors

Writing at the end of the third century, Greek rhetorician and commentator Menander Rhetor in his second treatise on epideictic states:[299]

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[291] Humfress 2007: 71.
[292] Maric 2014: 78.
[293] Cf. Cic. *Verr*. 2.1.47.120; 2.2.78.191 in relation to Cicero describing Verres as a boar; Corbeill 2002: 201 lists a number of areas that Ciceronian invective attacks including non-Roman background; Maric 2014: 77-8; Stevenson 2003: 98 n. 13 (Antony being described as a 'savage beast', 'monster' and 'portent').
[294] Cf. Stevenson 2003: 98 n.13: which refers to references in the Philippics including Cic. *Phil*. 3.28 '*belua*'; Cic. *Phil*.4.12 '*belua*'.
[295] Cic. *Pis.* 1.1; Steel 2001: 47-50.
[296] Cf. *Collat*. 6.4.2; 15.3.4; *PE Pr.* 10.
[297] Cf. Chapter One's discussion of Decius' edict.
[298] Euseb. *HE*. VII. 11.8.
[299] Heath 2004: xi discusses the debate surrounding which of the works attributed to be those of Menander are of his authorship. Heath argues that only Treatise II can be ascribed to the writer.

> …Because of the emperor, marriages are chaste, fathers have legitimate offspring… People choose a style of life like that which they observe in the emperor… (trans. Heath)[300]

This passage underlines the final manifestation of *romanitas* for this case study: the example set by the emperors. Frequently throughout the Tetrarchic documents, the emperors make their virtues clear with an implicit expectation that all Romans follow their lead.[301] Those who fail to uphold the same values as the emperors are cast as enemies of the state, and the *pax deorum,* due to their unnatural behaviours.[302] The virtues of the emperors often related to their pious behaviour, with frequent reference to their piety and clemency towards those who have jeopardised the well-being of the state.[303]

The Damascus Edict (295)

The constitution of a legitimate Roman marriage was of intrinsic importance for upholding *romanitas* an idea which harked back to the foundation of the Republic.[304] The union of a man and woman is described by the jurist Ulpian as '…a sharing in divine and human law…'[305] The human aspect of marriage legitimised it as a Roman practice, however those unions that failed to meet the expectations of a sanctioned union were deemed non-Roman.[306] Despite the expectation that marriages were not to be between ascendant or descendant, Claudius introduced a law in 49 in order to lawfully marry his niece.[307] Although these unions were licit, it is thought few existed following Claudius' reign.[308] By the time of Diocletian however, it appears that incestuous unions had been brought to the attention of the emperors, with a number of Diocletianic documents referring to appropriate marriage customs.[309] This section will discuss the Damascus Edict on Incest, and an earlier Diocletianic constitution that dealt with similar issues. The Damascus Edict was promulgated in 295 by the Tetrarchy and possesses a strong emphasis on *romanitas* within its aims and solutions for the ideological issue at hand.[310]

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[300] Men. Rhet. II. 376.4-8.
[301] *PE Pr.*7 The emperors describe themselves as the parents of the empire.
[302] Cf. *Collat.* 5.4.2; 15.3.4
[303] *Collat.* 5.4.1, 15.3.3; *PE Pr.* 5, 18; Konstan 2005: 341; Wallace-Hadrill 1981: 316.
[304] Treggiari 1991: 4.
[305] Ulp. 23.2.1; Treggiari 1991: 9.
[306] References to this practice often discuss in terms negating the human nature of the union, with words such as '*nefarias*' Cf. Gaius 1.59, 62; and '*impias*' *CJ.* 5.5.9 used to describe them.
[307] Cf. Suet. *Claud*. 26.3; Treggiari 1991: 38.
[308] Cf. *C.Th.* 3.12.1-4. However, Treggiari 1991: 38 outlines that the union between cousins was outlawed by Theodosius (384/5), but then rescinded by 405.
[309] *CJ.* 5.5.5 discusses a rescript of Diocletian and Maximian to Sebastina which prohibits polygamy, indicating that this was also an ideological issue as much as incest.
[310] Barnes 2005 disagrees, suggesting the edict was actually promulgated at Demessus. Corcoran 2000a: 173 suggests edict was promulgated at Damascus. Corcoran's view will be followed by this thesis.

Incest in the ancient world is most often associated with Egypt and its long history of close-kin and sibling marriages. Incestuous marriages are recorded from the Ptolemaic dynasty of the third century B.C., and became a point of invective against the Egyptian monarchy following the Battle of Actium.[311] Evidence of incestuous unions in Egypt are evidenced by a number of papyri that record census details and legal proceedings such as divorce settlements.[312] It has been argued the royal practice influenced a number of other couples, with a large number of incestuous found in peasant families.[313] Incestuous unions were not confined to Egypt, with such unions also recorded as a Persian practice. The evidence for incest occurring in Persia is rich in the literary sources, with a number of references found from both pagan and Christian writers.[314] These writers include figures from Classical Athens and continue up to the Christian writers of the fourth and fifth centuries with all making note of the Persian nature of the practice.[315] The intellectual discourses of both pagans and Christians attacked the practice.[316] Writers such as Minucius Felix and Origen attacked Persians throughout their works.[317] Although these men wrote in the period preceding the Tetrarchy, it can be understood that due to the long history of anti-Persian sentiment, and references to incest, these attitudes were upheld under the first Tetrarchy. The Persian acceptance of incestuous actions is often associated with the influence Zoroastrian ideals possessed over the state.[318] Although being a legitimate and ancient religion, Zoroastrianism's link to the royal family of Persia ensured the religion became connected with both an enemy of Rome, and the practice of incest. This resulted in further demonization, and Persians were portrayed as barbaric.[319]

Evidently, the continuation of these practices was brought to the attention of the Tetrarchs. The first Tetrarchic instance of this objection is not the Damascus Edict. In his 2000 article, Corcoran argues that a constitution (henceforth referred to as the Paris Rescript)[320] is to be attributed to Diocletian and Maximian prior to the establishment of the first Tetrarchy in 293.[321] Despite not being directly contemporary to the Damascus edict, this document contains similar rhetoric to the later

[311] Corcoran 2000a: 7 (n.48); Propertius 3.11.39 depicts Cleopatra as the incestuous queen.
[312] *BGU* 4.1103
[313] Diod. Sic. 1.27; Dio Cass. *Hist*. 44.1; Philo *Spec. leg*. 3.23-4; Ager 2005: 5-6; Remijsen and Clarryse 2008.
[314] Min. Fel. *Oct.* 31.3; Origen *C. Cels*. 5.27; Slotkin 1947: 615
[315] Slotkin 1947: 612-5.
[316] Including: Origen, Minucius Felix.
[317] Min. Fel. *Oct*. 31.3 'In Persia for example, union with your mother is lawful… Incest is a cause for pride in your traditions and your tragedies…'; Origen *C. Cels.* 5.27 '… and let him also inform us how the practices that are done by each nation are right when they are done in the way that pleases the overseers and whether for example, the Scythians' laws are right which allow parricide, or the Persians' laws which do not prohibit mothers from being married to their own sons or fathers to their own daughters…'
[318] Bittles 2012: 181; Slotkin 1947: 615-7.
[319] Spooner 1966: 54.
[320] For more on the origins and scholarly debate surrounding this document, please see Corcoran 2000b.
[321] Corcoran 2000b: 5

constitution. This document is a rescript addressed to Honoratus, the prefect of Egypt,[322] and puts forth the punishment for incestuous unions:

> The emperors Diocletian and Maximian Augusti to Honoratus:
> We forbid all those born of an incestuous marriage from becoming judge, advocate, or procurator, also in any way from undertaking any profession, except only 'taxeotic' or curial duties, if necessity demands. But if they accept from anyone a forbidden office, they will be condemned to the penalty for sacrilege (*sacrilegii poena*). If someone from the aforementioned persons should summon someone to court for reasons of *patrocinium*, then first of all he will lose his actions totally, whether his claim be valid or not, so that his case cannot be revived even by imperial rescript, and, next, any loss suffered by his opponent must be recouped by means of an oath. (trans. Corcoran)[323]

As a rescript, this indicates Honoratus had petitioned the emperors regarding incestuous unions. Corcoran suggests that the harsh nature of the punishment was that originally prescribed for those who had desecrated a temple.[324] This harshness is indicative of the stronger moral stance that the Damascus edict would later employ.

Unlike the Paris Rescript, the Damascus Edict introduces the ideological issue of incest within the empire as something deeply disturbing and unnatural, causing great distress to the gods of Rome, and the emperors themselves.[325] As an empire-wide request rather than a response to a petition, the edict presents a solution for the ideological problem, granting clemency to those involved in incestuous unions as long as they declare this within the eight month amnesty period offered. Those who engaged in illicit marriages against the Roman name following this would face severe punishment.[326] The edict immediately positions incest as a direct threat to the stability of the empire and those who truly embody *romanitas*.[327] Corcoran argues the edict was promulgated at Damascus and circulated through the empire, which places the origins of the surviving text of the edict in close proximity to Persia, and is vehement in its objection to the Eastern practice of incest. Although the word Persian is not used within the edict, attacks are made by the text on the beastlike practices, referred to as 'following the manner of wild beasts and cattle.'[328] Consequently, those who engaged in incest are insinuated to be a direct threat to the peace brought about by the Roman gods.

The three main themes of *romanitas* appear within the text of the Damascus Edict, and perhaps the most emphasised is the non-human behaviour of those involved in incestuous marriages. The guilty

[322] Barnes 1982: 149; Corcoran 2000b: 5-6.
[323] Corcoran 2000b: 4-5.
[324] Cf. Livy 29.8; Tac. *Ann*. 15.45; Corcoran 2000b: 15.
[325] *Collat.* 6.4.1-2.
[326] *Collat.* 6.4.8.
[327] *Collat*. 6.4.1.
[328] *Collat*. 6.4.2.

individuals are cast as animalistic and are placed in contrast to those who follow the pious example of the emperors. The beginning of the edict stresses the Tetrarchs' virtue as they possess a sense of religion and morality as a result of the Roman laws.[329] The inappropriate nature of incest is immediately removed from what the Tetrarchs define as moral behaviour, with its description in the text as *nefariae*.[330] Genuine, state sanctioned marriage is declared as being contracted under the legitimate religion (*religiose... legitime)*, and according to the old laws (*iuris ueteris*).[331] These terms legitimise the Roman practices by further removing the actions of the guilty from what is deemed correct. Those guilty of incest are dehumanised within the text, and not only cast as barbarians, but also as following the fashion of animals:

> For it is sinful to trust a continuation of those acts which it is agreed were committed by very many in the past when, by the goading of accursed lust, they rushed into illicit marriages in the promiscuous manner of cattle and wild animals (*promiscu ritu ad inlicita conubia instinctu*) without any respect for decency and piety. But whatever seems to have been admitted from illicit marriages in the manner of barbaric monstrosity (*barbaricae inmanitatis ritu*) before this either through inexperience of the wrongdoers or by ignorance of law, although they should be punished most severely, nevertheless, by the contemplation of our clemency, we wish that they come within the scope of this indulgence… (trans. Frakes).[332]

Here, a number of tropes are employed effectively, removing association between those in illicit marriages and those who truly embody *romanitas*. Those guilty of incest are depicted as having neglected any regard for what the Tetrarchs believe to be common decency, or religion.[333] The neglect towards the Roman gods demonstrated by those involved in incestuous unions is at odds with the Roman laws and traditions, with the following description in the edict:

> For our legal principles guard nothing unless it is old and venerable and the Roman majesty has come to such magnitude by the favour of all the gods, since it bound up all its laws in wise religious practices and preservation of *pudor*. (trans. Frakes).[334]

Following the depiction of the incestuous individuals as animalistic, the Tetrarchs then demonstrate their imperial virtues, offering their clemency to the guilty despite their lack of human behaviour.[335] This appears to reflect on the need to continue the preservation of the *pax deorum* through the citizens of the empire living pious and religious lives after the manner of the emperors.[336] This expression of *romanitas* is strongly encouraged by the emperors. The edict states that it is due to this correct behaviour that the *pax deorum* had been preserved for so long under their rule, since the

[329] *Collat*. 6.4.1.
[330] *Collat*. 6.4.1; s.v. *OLD*: *nefarius/a/ium*.
[331] *Collat*. 6.4.2.
[332] *Collat.* 6.4.2-3.
[333] *Collat.* 6.4.2.
[334] *Collat*. 6.4.2.
[335] *Collat*. 6.4.3.
[336] *Collat*. 6.4.1.

empire remained tranquil.[337] This expression of *romanitas* is further emphasised through the Tetrarchs' orders regarding marriage and how they believe lives should be carried out:

> But after this we wish that religion and sanctity (*religionem sanctitatemque*) in the joining of marriages be guarded by one and all, so that they will always remember they belong to the Roman discipline and laws (*disciplinam legesque romanas*) and they should know that only such marriages are valid which are permitted by Roman law (*Romano iure*)… (trans. Frakes).[338]

The orders not only relate to marriage, but to practices that ensure citizens of the empire live according to Roman law. The intervention of the Tetrarchs appears to be praised by Menander Rhetor.[339] This reflection on the imperial image of the Tetrarchic period affirms the relationship between *romanitas* and the examples set by the emperors during this time. The same themes are present in the Prices Edict and Manichaean Rescript. Imperial intervention related to sanctioned marriages would continue after the demise of the first Tetrarchy.[340] Evidence from subsequent reigns suggests the edict was not entirely successful in its aims of empire-wide cessation of incestuous marriages. Indeed, a number of examples exist from periods following Tetrarchic rule, with several policies regarding marriage practices promulgated during the Constantinian dynasty.[341]

The Prices Edict (301)

The Prices Edict of 301 further demonstrates the importance of *romanitas* for the survival of the empire. The edict survives in a large number of fragmentary inscriptions from the eastern empire.[342] The list of maximum prices is preceded by a lengthy and moralising preamble, justifying the need for these measures.[343] While the other documents examined in this case study are aimed at the destruction of foreign practices or religions (Manichaeism), the Prices Edict attacks Romans who failed to embody the true qualities of *romanitas* and place the stability of the state in danger.[344] The overall goal of the edict appears to be the reinstatement of fairness of price, especially for the soldiers, and to ensure the cessation of overpriced goods.[345] Rome's economic situation had been volatile during the latter half of the third century, with Aurelian and Diocletian both attempting economic reforms.[346] The need to introduce a price ceiling for goods is referenced in the preamble. This was necessary because of the greed of the profiteers within the empire who were swindling

[337] *Collat.* 6.4.2.
[338] *Collat*. 6.4.4.
[339] Men. Rhet. II. 376.4 'Because of the emperor, marriages are chaste, fathers have legitimate offspring…' Russell 1981: xl. Menander is writing in the period leading up to the settlement of the Carpi, so presumably a date following 295.
[340] Evans-Grubbs 1995: 101
[341] *C.Th.* 9.1.4; Evans-Grubbs 1995: 101; Evans-Grubbs 2015: 132.
[342] Corcoran 2000a: 206; Crawford, Erim and Reynolds: 1971: 171-2; Kent 1920: 35-6; Williams 1984: 128.
[343] Corcoran 2000a: 206.
[344] Corcoran 2000a: 207.
[345] *PE Pr.* 18.
[346] Rees 2004: 38; Watson 1999: 54.

their customers, especially the army, and not abiding by the laws of supply and demand.[347] As a result, the Tetrarchs intervened, in order to avoid soldiers losing a large amount of their personal funds, and to remind the citizens of the imperial expectation of proper behaviour.[348] The order of the emperors is intended for all who reside within the empire as citizens, and to ensure that the price ceiling is enforced.[349]

The group attacked by this text, the profiteers, are portrayed as failing to demonstrate any form of *romanitas,* but instead, embodying qualities the opposite of the imperial expectation:

> Public virtue and Roman dignity and majesty will it that the fortune of our state be organised in good faith and elegantly adorned – second to the immortal gods (*immortales deos*), it is right to give thanks to the state as we remember the wars we have fought successfully, at a time when the world is in tranquillity, placed in the lap of deepest calm with the benefits of a peace which was earned with much sweat. Therefore, we who by the kind favour of the gods (*qui benigno favore numinum*) have crushed the burning havoc caused in the past by barbarian nations…(trans. Rees)[350]

As is suggested in the preamble, it is due to the *pax deorum*, and the actions of the emperors (and soldiers) that Rome had enjoyed such a great period of tranquillity. The behaviours of those who do not embody the qualities demonstrated by the emperors are portrayed as non-human and a threat to the well-being of the state.[351] While the appropriate behaviours of one who embodies *romanitas* include respect for the gods and a moderate life (*moderatio*), the opposite is demonstrated in the profiteers in the preamble. The edict suggests the profiteers had neglected their fellow Romans through their lack of fair pricing despite it being an expectation of their status as Roman citizens. The profiteers are even further demonised through contrasting their religion of greed with the religion of virtuous Romans who acknowledge and aim to placate the benevolent gods who had brought peace to the empire.[352] Consequently, these individuals were not only enemies of the state but also the gods:

> But because it is the single desire of untamed fury to give no account to the common need, and amongst wicked and extravagant people it is almost held a religion (*religio*) of greed… we…. decided that justices should intervene as arbiter, so that a solution which has for a long time been desired but humankind has been unable to provide could, by the remedy of our foresight be brought, for the general moderation of all… (trans. Rees)[353]

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[347] *PE Pr.* 9.
[348] *PE Pr.* 14; Diocletian himself was claimed to be guilty of greed by Lactantius at *DMP*. 7.6. Rees 2004: 37.
[349] Corcoran 2000a: 209-212
[350] *PE Pr.* 5.
[351] *PE Pr.* 6. describes these men as non-human, and lacking care for humanity.
[352] *PE Pr.* 7.
[353] *PE Pr.* 7.

The declaration of the nefarious nature of the problem requires *remedia*, later declared to be the 'removal of the stains of intolerable plundering',[354] which one can assume is capital punishment.[355] Following the nature of the Damascus Edict and its use of *clementia* (even when capital punishment was preferred), another course of action is offered. Again, this demonstrates the example set by the emperors and their embodiment of *romanitas*.[356]

This is further explained by the non-human behaviours of the greedy, with their uncurbed desire for profit, even at a time of surplus.[357] Here, the human and non-human dichotomy is used as a rhetorical device to remove the profiteers from the moral and righteous Romans embodying the qualities of the emperors. The result of this rhetoric is the positioning of these individuals so distant from the Roman ideal that they fail to comprehend basic knowledge about the markets:

> … for he cannot know, or rather has not sensed, that in the transactions conducted in the markets or effected in the daily exchange of the cities, liberties with prices are so widespread that uncurbed desire for profit is checked neither by plentiful supplies nor by fruitful harvests…(trans. Rees)[358]

It is made clear that the wealth possessed by these non-Roman citizens could itself be an answer to the economic problems facing the empire: 'men who individually overflowing with the greatest riches, which could amply satisfy whole populations…'.[359] The accusation of the *indomitas cupidines,* 'untamed lusts', of the enemy is scathing, with the adjective *indomitus* frequently used to describe animals that have not been broken in.[360] Not only had the profiteers failed to respect the request of the emperors, they had disrespected the military and that the sweat they had spent to stabilise the state. In particular, this came down to consistently swindling the soldiers and taking their donative and wages.[361]

Despite the ultimate failure of the edict, the rhetoric used to create a Roman and non-Roman dichotomy depicts the centrality of *romanitas* to Tetrarchic ideology in its first decade. A great level of attention is paid to the importance of the soldiers and military support as a manifestation of *romanitas*. It is made clear that individuals who fail to support and respect the military and its achievements are non-human and far from Roman. Although the Prices Edict failed in its economic

[354] *OLD*: s.v. *nota*. The word used for stain, *notas*, can carry a number of meanings relating to a brand, or even a black mark next to a name as a mark of condemnation; *PE Pr*. 7.
[355] *PE Pr*.8-9. Later in the edict it is made clear that those who fail to comply with the demands were to suffer death.
[356] Dowling 2006: 18-20; Konstan 2005: 341 (on clemency as a virtue); Noreña 2001: 153; Wallace-Hadrill 1981: 302.
[357] *PE Pr.* 10.
[358] *PE Pr.* 10.
[359] *PE Pr.* 12.
[360] *OLD* s.v.: *indomitus;* Honoré 1981: 117 discusses a number of moralising words adopted by the Diocletianic administration during this period, and lists *cupidatas* among them.
[361] *PE Pr.* 14.

capacity, the messages it conveyed would outlast the edict, and similar rhetoric was later employed against the greed of the *Caesariani.*[362]

Rescript on the Manichees (302)

The Tetrarchic persecution of the Christians from 303 onwards was preceded by a period of persecution of the Manichees.[363] This is preserved in a rescript, sent from the emperors to Julian, the proconsul of Africa, in response to the proconsul seeking a course of action regarding the Manichees.[364] Unlike the rescripts of the period preceding the 300s, the rhetoric contained within the rescript on the Manichees demonstrates a more offensive attitude.[365] This particular rescript possesses a number of similarities to the rhetoric and themes found within the Damascus and Prices edicts.[366]

As is the case for the other documents of this case study, the theme of *romanitas* is consistent throughout the rescript. Despite Galerius' victory over the Persians in 299, the rescript is laden with anti-Persian sentiment through denigration of the Manichees.[367] The ideological threat Manichaeism posed to the empire was a result of its origins from the East, and its status as a sect of Christianity.[368] Manichaeism was founded by the prophet Mani, who claimed to be a disciple of Christ in the mid-third century, and the religion quickly gained great momentum spreading both east and west from Persian territory.[369] Mani enjoyed great favour with the Sassanian dynasty during his lifetime, but would eventually die awaiting his execution under the Sassanid ruler, Vahram I in 278.[370] Before his incarceration, Mani had favour with Shapur I and thus, a link to a Roman enemy that influenced its perception in the Roman East.[371] The sect achieved great success due to its reliance on missionary activity and evidently caused alarm to Romans governing in the east.

[362] *CIL* 3.12134; Corcoran 2000a: 183, 209.
[363] Cf. The treatment of the Christians in 303: Euseb. *HE*. VIII. 2.1-3; Lact. *DMP*. 11.8. The date of this rescript is contentious, with some scholars placing the date at 297 (Brown 1969: 92), and others preferring the date 302 (Bruce 1983: 336-47; Corcoran 2000a: 135; Rees 2004: 58-9.)
[364] Corcoran 2000a: 135-6.
[365] Dillon 2012: 83.
[366] Baker-Brian 2011: 136-7.
[367] Baker-Brian 2011: 136; Lieu 1994: 6.
[368] For more on Manichaean identity see Lieu 1996.
[369] Cf. *Collat.* 15.3.3.
[370] Baker-Brian 2011: 136.
[371] *C.Th.* 16.5.35; 16.5.38; Humfress 2007: 248: Manichaeism is described by Cyril of Jerusalem as a sect that should be 'especially despised'.

Despite being a sect of Christianity, the religion was shunned by the Christian community and treated with contempt.[372] The failure of the Tetrarchs to use words relating to Christianity demonstrates that the administration did not view the Manichees as a sect of Christianity, being more preoccupied from their Persian heritage. However, the ideological threat they posed to Roman society at the time was in their failure to acknowledge the Roman rites and traditions, along with what the emperors described as their 'Persian laws'.[373] Unlike the Damascus and Prices Edicts, the Rescript on the Manichees does not possess the same empire-wide order. The proconsul Julian wrote to the Tetrarchs, requesting imperial advice for a course of action relating to the Manichees, resulting in the rescript:

> …But the immortal gods (*dii immortales*), by their providence, deemed it worthy to ordain and to arrange that the things which are good and true would be approved and established in an undiminished state by the counsel and handling of many good and outstanding and very wise men, things which it is evil to obstruct or to resist, and that the old religion should not be refuted by a new belief (*neque reprehendi a noua uetus religio deberet)*. For it is the greatest crime to retract those things that, being set up and defined by the ancients, hold and possess standing and precedent. (trans. Frakes)[374]

The rescript begins with discussion of the ideological threat posed by Manichaeism as a sect from Persia, and from individuals who do not embody Roman qualities.[375] The first mention of the sect at 15.3.1, does not directly refer to the Manichees by name, instead labelling it as a *doctrinae superstitionis* immediately distancing the Manichees from the legitimate and, old Roman religion.[376]

Following their attack on the sect as a whole, the emperors return their focus to the benefactions of the Roman gods, and the dangers posed by new beliefs.[377] Immediately, the importance of the *pax deorum* to *romanitas* is exemplified. This is emphasised through statements suggesting that the principles promoted by the gods are not to be resisted or aligned with any from a new creed.[378] It is at this point that the text transitions from the inherently evil nature of the Manichees to the origin of their nature as non-human, and thus non-Roman:

> …we have hear that they, as a new an unexpected monstrosity have recently arisen and progressed into this world from Persia (an enemy nation to us) and have committed there many crimes and disturb the quiet peoples and introduce the greatest damage to the cities: and it is to be feared, lest by chance, as is accustomed

[372] *Collat.* 15.3.7.
[373] *Collat.* 15.3.2.
[374] *Collat*. 15.3.1.
[375] *Collat.* 15.3.2.
[376] See above.
[377] *Collat.* 15.3.1.
[378] *Collat*. 15.3.2.

> to happen, in the course of time they attempt through their cursed usages and the savage laws of the Persians to corrupt persons of more innocent nature, the modest and tranquil Roman people, and our entire world just as with the poison (*uenenis*)of their own malevolent ones. (trans. Frakes)[379]

This contrasts the legitimacy and established place of Roman traditions and the *pax deorum* with those coming from Persia.[380] The invasion of Manichaeism from Persia becomes its largest fault, with accusations made that it was sprung forth from their 'homes among the Persians – an enemy hostile to us'.[381] The Manichees are further denoted as polluting Rome and its orderly, peaceful and innocent inhabitants through their Persian beliefs.[382] Not only are these beliefs condemned due to their Persian nature, the lack of humanity with this alluded to being poisonous, destroying humanity with its venom.[383] Although many translations of the text include reference to the word 'snake', it appears to have been understood from the use of *uenenis* in the text.[384] The action of spreading venom again plays on non-human behaviour that has come to be equated with the Persians.

Finally, the punishment for those who challenge the old ways of Rome is made clear, with the emperors demanding that those belonging to the Manichaean religion (*religionis*) should suffer harsh punishment.[385] The punishments stipulated by the rescript declare that the leaders and authors of Manichaean texts were to be burnt alongside them,[386] and have their property confiscated to the imperial treasury.[387] More extensive punishment would follow this, with a demand that the Manichees also be sent to the mines or quarries in Proconnesus or Phaeno. This punishment follows the stipulations of the Valerianic edicts of the mid-third century.[388] The final section of the rescript orders Julian to act quickly in order to remove the stains[389] so the empire can return to the tranquillity it possessed before the Manichaean threat.[390] Julian is depicted as possessing the same virtues as the emperors, with the Tetrarchs pleased that the proconsul had addressed them. As this is a rescript rather than an empire-wide edict, Julian is praised for his appropriate course of action, which is reflective of the same action the Tetrarchs would have taken.[391] The issue of the Manichees is a direct threat to the 'principles of virtue and truth' that is encompassed by the

[379] *Collat.* 15.3.3.
[380] *Collat*. 15.3.4.
[381] *Collat*. 15.3.4.
[382] Cf. Hyamson 1913: 131-3; Rees 2004: 174
[383] *Collat*. 15.3.6.
[384] *Collat*. 15.3.7.
[385] *Collat.* 15.3.6; Euseb. *HE*. VIII. 2.1-3; Lact. *DMP*. 11.8.
[386] *Act. Cypr*. 1.3; Collat. 15.3.7; Euseb. *HE.* VII. 11.10-11.
[387] *OLD* s.v. *lues*.
[388] Coll*at*. 15.3.8.
[389] *Collat.* 15.3.5.
[390] *Collat*. 15.3.2.
[391] *Collat*. 15.3.5.

embodiment of *romanitas*.[392] The following decades would see an intensification in the persecution of Manichees, as they continued to flourish despite such attacks.[393]

Conclusion

These policies of the first decade of the Tetrarchy outlined what behaviours did or did not constitute correct Roman practices. This rhetoric demonstrates the context from which the Tetrarchic policies of persecution emerged. The three aspects of *romanitas*, the dichotomy between human and non-human behaviour, the importance of the preservation of the *pax deorum*, and the example of the emperors all depict the general anxieties of the Tetrarchs regarding the empire. Without these three manifestations of *romanitas*, the empire would become vulnerable to attacks and infiltration from outsiders who failed to acknowledge the Roman ways of living. These policies and themes ultimately aid the contextualisation of the edicts of the Great Persecution and present a possible motive for the introduction of these later measures. The preservation of traditional Roman establishments and practices appear to have been at the forefront of the minds of the Tetrarchs during this period. Through targeting those who openly failed to embody Roman qualities, such as Christians, the emperors believed they were bringing stability to the empire and ensuring the continuation of a period of great tranquillity.

These attitudes are later reinforced by Galerius' palinode, through which it is possible to understand the aims of the earlier persecutory policies.[394] The palinode demonstrates a great deal of similar language and rhetoric to that presented in the earlier constitutions. However, it also presents a new dictation of Roman behaviour, through the request that all Christians were to pray for 'our (the emperors') safety and for that of the state and themselves.'[395] While previously Galerius declared the practices of Christians as in opposition to the religion of the ancients, the palinode presents a statement of clemency, not unlike those found in the analysed documents.[396] This is further established by the order sent to the provincial governors concerning how they were to respond to Christians in their communities. The palinode further indicates the failure of policies that operated on the assumption of a binary opposition between Romans and Christians. Here, it is acknowledged that Christians and their prayers can support the empire. Leadbetter suggests Galerius had accepted these prayers in his final political document through acknowledging that the general toleration of his peers in the West had been more politically successful on account of their attitudes.[397] Galerius'

[392] *Collat.* 15.3.1.
[393] For example see: *C.Th.* 16.5.3, 16.5.7.
[394] Lact. *DMP*. 34.
[395] Lact. *DMP*. 34.5.
[396] Cf. *Collat*. 6.4.3; *PE Pr*. 12; Leadbetter 2009: 224-5.
[397] Leadbetter 2009: 225.

introduction of a new, less binary approach to Roman practices indicates his understanding of why the previous measures had failed.

IV. Maximinus Daza and the Promotion of Paganism

Maximinus Daza is remembered by the Christian literary tradition as the most fervent persecutor of the Christians, with Eusebius stating that he 'applied himself against us (the Christians) with more energy and persistence than those before him.'[398] Born into humble beginnings and spending the early days of his career as a shepherd, Maximinus was the nephew of Galerius. He was appointed to the rank of Galerius' Caesar in 305, and would later pressure his uncle for a promotion to Augustus, which was denied.[399] He set up his imperial residencies in Antioch and Nicomedia for a great part of his rule.[400] Maximinus would later be proclaimed as Augustus by his men in 310.[401] Following Galerius' death in 311, Maximinus rushed to occupy his uncle's share of the empire before the impending arrival of Licinius.[402] Maximinus would die by his own hand in 313 following his flight from war against Licinius.[403]

Although the surviving narratives of the reign of Maximinus are negative on account of their Christian origins, the policies they preserve can be used to understand Maximinus' constitutions. As such, it is necessary to treat these with caution, and with acknowledgement of how they came to survive. These texts are, I believe, an example of Maximinus' attempts to present the people of the empire with an example to follow, in a more explicit manner than the policies of the first Tetrarchy. Further, these are an effort to appeal to the pagan masses. Maximinus endeavoured to consolidate his position as Augustus of the East following his acclamation by his troops in 310. This was a challenge that would later face Constantine following his defeat of Licinius in 324.[404] This section will examine the religious policies and actions of Maximinus in this context, and will be focussed upon the aims of Maximinus' policies and how he implemented his visions for the empire.

Maximinus and Politics: Enforcement

It is first necessary to discuss Maximinus and his religious policies in relation to his political environment. It is recorded that Maximinus had appealed to his uncle Galerius in 307 for a promotion to Augustus, which was refused.[405] Davies convincingly argues that it was following this refusal that Maximinus' persecutions paused.[406] Following the Council of Carnuntum at the close of 308, it appears Maximinus continued to demonstrate his capacity to follow the wishes of

[398] Euseb. *HE*. VIII.14.9; Oros. 7.17.
[399] Barnes 1982: 6, 65; Davies 1989: 74. He was instead given the title of *filius Augustorum* along with Constantine in 309.
[400] Barnes 1982: 65.
[401] Barnes 1982: 6.
[402] Lact. *DMP*. 36.1.
[403] Euseb. *HE*. IX. 10.4, 10.14; Lact. *DMP*. 47.4; Barnes 1982: 66.
[404] See Heather 1994.
[405] Lact. *DMP*. 32.1.
[406] Davies 1989: 72.

Galerius. When it was clear Maximinus would not be elevated, persecution again broke out following his acclamation by his men as Augustus in 310. It was necessary for Maximinus, who seems to have been a dedicated pagan, to ensure divine consolidation and the promise of the *pax deorum*. This also extended to receiving public support for his position and his actions. Following the example set by the policies of the first Tetrarchy, Maximinus enacted a series of laws in which he provided a moral example for the populace.

The political structures Maximinus created to ensure his legitimacy is best demonstrated by his appointment of high-priests to cities and pontiffs to provinces.[407] The centralisation of the priesthoods would ensure the enforcement of religious policies throughout the provinces.[408] Here, the priests were not being elected by the local councils, but rather, they were chosen by the emperor. The examples set by these men to the provincials is tantamount to the demonstration of Maximinus' own example.[409] Maximinus was evidently aware of the lack of enforcement of earlier policies of persecution.[410] Davenport convincingly suggests the importance of such relationships, and proposes that Maximinus, like Diocletian, would have appointed those supportive of the imperial measures.[411] Eusebius suggests that while the palinode of Galerius was made clear, Maximinus opted only to inform his governors of its orders verbally, effectively 'taking measures how it might never see the light of day in the districts under him.'[412] This is a clear demonstration of not only Maximinus' fervour, but also his communication with his governors. The need for his governors to be loyal to him and his aims is exemplified by this letter. If the governors and priests were also fervent supporters of Christian persecutions, there would be more chance these processes would be executed.

The Religious Policies

Following the rescindment of the policies that constituted the initial stages of the Great Persecution, Maximinus' attitude to religious policy emphasised the importance of centralisation. These actions came in the form of the distribution of a pamphlet, the Acts of Pilate, which defamed the actions of Christ, and the circulation of the 'confessions' of Christian 'prostitutes'.[413] Maximinus' persecution

[407] Euseb. *HE*. IX. 4.2; Lact. *DMP*. 36.4; Nicholson 1994: 3.
[408] While Nicholson 1994 argues that Julian would later mimic Maximinus' structuring of the priesthood, Van Nuffelen 2002 has argued that the letter pertaining to Julian's actions in this matter is actually a forgery made by Sozomen. As such, this thesis will not discuss Julian's alleged restructuring of the priesthood, despite its inclusion in Nicholson's work.
[409] This can be interpreted as a direct implementation of the emperors' example that had previously been suggested in the more ideological policies of the First Tetrarchs—see part III of this chapter.
[410] Cf. Lact. *DMP* 8.7. on Constantius I.
[411] Davenport 2010: 353.
[412] Euseb. *HE*. IX.1.1.
[413] Cf. Euseb. *HE*. IX. 5.2; Min. Fel. *Oct.* 9.6

was in direct conflict with the palinode of Galerius, and was demonstrative of a development in the state approach to religious dissidence. Maximinus' aims appear to be similar to those of his predecessors, with his policies also requiring the confiscation of Christian property and the destruction of churches.[414]

Under Maximinus sacrifice to the pagan gods had again become compulsory, and overseen by the priests and high-priests he had appointed in each city.[415] This concentrated centralisation is most evident through Maximinus' creation of a network of priests in each city Mitchell describes this as an 'intensification of compulsory sacrifice'.[416] The emperor ensured that food in the market place was sprinkled with libations against the knowledge of Christians.[417] This direct measure demonstrates both Maximinus' own convictions, as well as the desire of his inferiors to win his favour, by pandering to the emperor's stance on religion. These actions were taken even further, with the superintendents of the baths ordered to spray bathers with sacrificial blood.[418] These actions were a bid to convert those who were not willing to abandon their Christian adherence, indeed the real enemy in Maximinus' eyes were 'atheists'.[419] This attitude could further be understood as an attempt to consolidate Maximinus' position as Augustus following his acclamation by his men.

The Pagan Voice

The imperial documents recorded in the Christian sources can be analysed to understand the pagan perspective of Maximinus' reign. A rescript of Maximinus to the citizens of Tyre from 312 is perhaps the most important surviving document from the emperor's reign.[420] There are a number of surviving inscriptions that present similar response for what could be seen as comparable requests from other cities.[421] It is noted that while there are some differences between the three existing copies, they all seem to suggest the same outcome, which Corcoran understands to mean an identical letter was sent to all petitioners regarding the Christians.[422] It appears the citizens of Tyre had petitioned the emperor in order to have his support and involvement in their request to remove

[414] Euseb. *HE*. IX.10.5.
[415] Lact. *DMP*. 37.2: '… he did not suspend his practices of ensuring that sacrifices were performed every day in the palace…'
[416] Mitchell 1988: 116.
[417] Euseb. *MP*. IX. 2. This passage informs us of the imperial edict that had been put in place, which has not survived.
[418] Euseb. *MP*. IX.2.
[419] Corcoran 2000a: 151.
[420] Mitchell 1988: 113-120 discusses this rescript in great depth.
[421] Corcoran 2000a: 23, 149; Mitchell 1998: 121.
[422] Corcoran 2000a: 149-50.

Christians from the city.[423] It is clear at this point that Maximinus had ignored his uncle's suggested course of action, with reference made to 'that letter':

> …it has been enabled to recognise that it is governed and established by the benevolent providence of the immortal gods. It passes belief …none could be ignorant what regard and piety you were displaying towards the immortal gods… Wherefore your city might worthily be called a temple and dwelling place of the immortal gods... Behold therefore, your city put away all thought for its own private advantage and neglected former requests for its own affairs, when once again it perceived that the followers of that accursed folly were beginning to spread, as a neglected and smouldering pyre which, when its fires are rekindled into flame, forms once more a mighty conflagration. Then immediately and without any delay, it had recourse to our piety as to a metropolis of all religious feeling, requesting some healing and help. It is evident that the gods have placed in your heart this saving thought on account of your faith and godly fear… even Zeus, he who presides over your far-famed city, he who protects your ancestral gods and women and children and hearth and home from all destruction… it was he who showed how excellent and splendid and saving a thing it is to draw nigh to the worship and sacred rites of the immortal gods with due reverence… (trans. Lake)[424]

The rescript is reflective of Maximinus' use of earlier Tetrarchic rhetoric (especially in his description of the Christians as a conflagration) and his legitimisation of the inherently Roman practices of the Tyrians. Maximinus used the rescript system in order to disguise his aims for the reinstatement of state religion as a gift to the provincials.[425] The rescript makes clear the prevalence of the pagan gods to the emperor, and his frustration that Zeus is being overshadowed by the Christian god. Here, the rhetoric of the first Tetrarchy is utilised in a bid to call the citizens of the empire to their senses.[426] This rescript also possesses similarities with the Decian letter to Aphrodisias. The citizens of Tyre had long exhibited proper Roman behaviour which was beneficial to the empire, since they had been a colony of Rome since the Severan period, and thus these citizens had long been practicing proper Roman behaviours. However, these citizens were being challenged by the Christians. Here, Christians are defined as inherently non-Roman: their failure to follow the proper rites of the Tyrians presents a challenge to the empire. Mitchell suggests this rescript is an example of Maximinus asking the provincials for a favour rather than the other way around. This in turn would allow him to execute harsher and more centralised methods.[427]

There are two key points to consider regarding the importance and purpose of this document. The first is that the Tyrians were aware of what Maximinus was hoping to achieve in relation to his promotion of pagan religion, and the second is that they were acting in accordance with

[423] Mitchell 1998: 122.
[424] Euseb. *HE*. IX. 7.1-8.
[425] Corcoran 2000a: 151; Harries 2012a: 94; Mitchell 1988: 121.
[426] See Section II of this chapter, especially in relation to the anxiety lack of respect for the gods caused the state.
[427] Mitchell 1988: 122.

Maximinus' expectations. The petition is evidence that some communities in the empire were supportive of imperial anti-Christian measures. This is something that occurred more than once in Maximinus' reign, with his letter to Sabinus from December 312 indicating similar sentiments. Although Maximinus was writing to his prefect to defend his actions, it still readily informs the reader of other provincial requests, '… Nevertheless to these same Nicomedians and the rest of the cities who themselves have so earnestly addressed me a similar request, namely, that no Christian should inhabit their cities…'[428] This position is comparable to that presented by the Tyrians. The requests from the citizens of these cities for action against the Christians brings them in line with Maximinus' greater agenda. Through acting in accordance with Maximinus' anti-Christian position, the citizens of Tyre and Nicomedia invited imperial benefactions. These exploitations of these relationships were not uncommon during the fourth century, and this was something Julian would later attempt to use as a vehicle for his pagan reforms.

Conclusion

The reign of Maximinus was perhaps the bleakest period for Christians in the eastern provinces. This section has examined the ways in which Maximinus promoted his desire for all dwelling under his rule to adhere to what he understood as the traditional paganism. Indeed, following in the paths of his predecessors, Maximinus was driven by a desire to ensure the placation of the gods, and the promotion of the traditional state religion as a way of unifying all Roman citizens. Maximinus' policies and imperial documents demonstrate this through his desire to ensure that the 'immortal gods receive the worship' they deserved. However, also following in the path of his persecuting predecessors, Maximinus would also recant his involvement in the persecutions, seeking to distance himself from his own actions.

[428] Euseb. *HE*. IX. 9a.6.

V. Conclusion

This chapter has examined three case studies necessary for understanding the imperial attitudes to Christianity. In order to demonstrate the imperial anxiety regarding the survival of *romanitas* and the preservation of the *pax deorum*, this chapter has analysed the constitutions of Diocletian and the first Tetrarchy as well as the policies of Maximinus Daza. The first case study of this chapter examined the Intellectual and Christian discourses of the period preceding the Great Persecution. The importance of *romanitas* and the *pax deorum* is a common theme in intellectual discourses. A number of pagan writers such as Celsus, Hierocles and Porphyry used their philosophical works to promote the sanctity of *romanitas*, as well as the importance of the *pax deorum*. These were seen as intrinsic parts of daily life for all Romans, and these figures defended their place in the empire. Further, it also examined the role of Porphyry and Sossianus Hierocles had upon the formation of these policies during their time in the imperial court at Nicomedia prior to the edict of 303.

Although the policies of the Great Persecution were without a doubt influenced by a level of anxiety and concern for the state of the *pax deorum* and general *romanitas*, they were preceded by constitutions not concerned with Christianity. The second case study of this chapter argued that the policies of the first decade of the Tetrarchy indicates the persecution of Christians fitted into a wider ideological agenda. The constitutions are concerned with the preservation of *romanitas* in particular, as well as the promotion of what behaviours were deemed appropriate for the empire. The three considered constitutions (the Damascus Edict on Incest, the Prices Edict and the Rescript on the Manichees) are strongly focussed on laying down what behaviours are condoned by the emperors, and what are condemned. In these cases, the enemies of *romanitas* and the *pax deorum* are presented as those who fail to embody a Roman character, in particular Persians and profiteers. It is clear the Tetrachic promotion of *romanitas* and the importance of the *pax deorum* in these policies became an influence for those of the Great Persecution.

Finally, this chapter discussed the policies and aims of Maximinus, the last and fiercest Tetrarchic persecutor. Like his predecessors, Maximinus possessed a great awareness of the importance of the *pax deorum* and *romanitas* to the stabilisation of the empire. His policies demonstrate a higher level of centralised intervention in matters, with attempts to directly influence the lives of Christians. However, the same anxieties are prevalent in his policies. The overall attitudes of the Tetrarchs signal the beginning of changed approaches to religious policy that would be apparent in the reign of Julian.

CHAPTER THREE:

FOLLOWING CONSTANTINE: JULIAN'S WORLD

I. Introduction

The reign of Rome's last pagan emperor, Julian (A.D. 361-363), is most often associated with his attempts to reverse the pro-Christian measures instated by his uncle Constantine and cousin Constantius II.[429] Unlike his persecuting pagan predecessors (such as Valerian, Diocletian and Maximinus), Julian opted for subversive anti-Christian measures over the previously favoured edicts of persecution which decreed varying degrees of harsh punishment, in order to see a return of the *pax deorum*. While Julian's goals were similar to those of his predecessors they were driven by his own philosophical and religious convictions. Julian was certain the actions of his familial predecessors had caused instability in the empire and their apostasy from the traditional gods and religious rites had caused a rift in the *pax deorum*.

Julian's early years were filled with uncertainty following the murder of most of his male relatives by Constantius, in what Burgess terms as the 'Summer of Blood' of 337.[430] Following this, the future emperor would spend a large period of his youth under house arrest, being educated by a eunuch, Eusebius and later the philosopher Mardonius. Julian would be appointed Caesar in November 355, and proved to have prodigious military skill following his successful military campaign on the Rhine. In early 360, Julian was proclaimed as Augustus by his men and subsequently began to march against his cousin. Civil war would never ignite as Constantius died suddenly of fever in November 360, and Julian was free to assume the purple without bloodshed.[431] Despite his Christian upbringing which saw him appointed as a lector in the Christian church, Julian apostatised from his family's religion and became an ardent pagan.[432] In the period of his youth and house arrest, Julian was educated in the classics by Mardonius, whom he credits as being the man who introduced him to the pagan religion.[433] According to Gregory of Nazianzus, it was during this time that Julian would debate religion with his elder half-brother, Gallus and would always take the pagan perspective, as it was 'weaker'.[434] Julian later studied philosophy at Athens where he found his place in the Neo-Platonic school. Julian's paganism was not entirely an organic or authentic reinstatement of the old religion, but rather it combined aspects of these with his austere asceticism.

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[429] Herein, unless otherwise specified, all references to Constantius are to Julian's cousin Constantius II, not his paternal grandfather, Constantius I.
[430] Barnes 1993: 105; Burgess 2008 discusses this event in great detail.
[431] Amm. Marc. 21.15.3; Kadellis 2005: 253.
[432] Tougher 2007: 15.
[433] Julian. *Mis.* 353B.
[434] Gregory Naz. *Or.*4.30.

This chapter will explore Julian and his world, looking at the ways in which the emperor sought to restore Roman customs to ensure the restoration of the *pax deorum* following the apostasy of his uncle and cousins. In order to demonstrate this, it is necessary to first examine the world in which Julian was born. First, an examination into the new imperial relationship with the church as founded by Constantine will be undertaken. In particular, this will focus on Constantine's Christian vision, with analysis of his letters and establishment of a new relationship with Christians. Constantine's embracement of Christianity ensured its position as a legitimate religion in the empire, that could be used to unify empire just as paganism had been used by his pagan predecessors. This section will also discuss the Donatist and Arian controversies and how Constantine intervened. The new position of the emperor in ecclesiastical affairs was something Julian would use to undermine Christianity's position in the empire. The second case study of this thesis is focussed upon six of Julian's administrative actions. These laws and practices define much of Julian's reign, and are demonstrative of how he saw the religious landscape of Rome.

II. Constantine's Christian Vision

The period between the death of Maximinus and that of Constantius saw a number of changes to Rome's administrative and religious landscapes. Constantine and Licinius would coexist peacefully for some time until civil war again broke out in the empire. Constantine would emerge victorious in July 324.[435] Constantine's sole rule brought with it the consolidation of the dynasty that would survive until Julian's death in 363. This section will provide a brief analysis of the change in administrations and the imperial attitudes towards religious friction during this period. This will aid investigation into the environment Julian ruled in, and the attitudes that existed during his youth and reign. As such, this section will examine how Constantine changed the imperial relationship with the church, with focus upon his 'edicts of toleration'. This will ultimately demonstrate the change in the role of the emperor at this time, and their new place within a predominantly Christian empire as well as the creation of a new, Christian *pax deorum,* or, *pax dei.* Julian reigned in a vastly different world to his pagan predecessors and would use his position to undermine Christians in the public sphere.

Constantine as Ruler

Constantine made a number of changes to the imperial relationship with the church that were, until this time, unprecedented. Constantine was responsible for the creation of a new capital, Constantinople, that was reflective of the image he wished to present of himself. This was further signalled by the construction of Christian buildings and churches. Constantine was responsible for the erection of churches such as the Hagia Irene and the Church of the Holy Apostles.[436] The construction of these buildings is in line with the usual expectation of the emperor. However, these were benefactions to the Christian communities indicating Constantine's desire for a universal acceptance of his rule from both Christian and pagan citizens. This creation occurred following his defeat of Licinius in 324. Constantine had also, at this point recalled Licinius' political exiles.[437]

Constantine's position as the new centre of the church, and as its supreme arbitrator, became a new expectation of subsequent emperors. Constantine ensured this image would be associated with his reign through the promulgation of a number of imperial documents that granted equality to Christians, and further his involvement in and summoning of Christian ecumenical councils and synods.[438] However, while Constantine inserted himself into ecclesiastical matters, he still held the

[435] Euseb. *VC*. II.17; Barnes 2011: 106.
[436] Drake 2000: 11; Lane Fox 1986: 667.
[437] Heather 1994: 15. This was an important move, considering Constantine was relatively unknown in the Eastern Empire at this time.
[438] Bardill 2012: 278-9 discusses Constantine's Christian sympathies in law making, which Bardill suggests are a very small component of his overall legislative programme. Indeed, Bardill conjectures Constantine's law making was

post of *pontifex maximus*. It can be asserted that this, like the *pax deorum* essentially became more associated with Christianity than the state religion during Constantine's reign.[439]

The So-Called 'Edict of Milan'

The end of Tetrarchic persecution of the Christians was signalled by the so called 'Edict of Milan' in 313.[440] The conditions set forth by the letter indicates the end of state sanctioned persecution of the Christian community.[441] The surviving copy of the letter is addressed to the governor of Bithynia.[442]

> When I Constantine Augustus and I Licinius Augustus had come under happy auspices to Milan, and discussed all matters that concerned the public advantage and good, among the many other things that seemed to be of benefit to the many, or rather, first and foremost, we resolved to make such decrees as should secure respect and reverence for the Deity; namely, to grant both to the Christians and to all the free choice of following whatever form of worship they pleased, to the intent that all the divine and heavenly powers that might be favourable to us and all those living under our authority. (trans. Lake)[443]

The letter grants religious freedom in order to ensure the continuation of divine benefactions to the empire. Here, it is acknowledged that the Christian god, as well as the traditional gods, brought prosperity and peace to the empire. It is with this decree the new imperial position on the *pax deorum* is established: the Christian God was also responsible for the wellbeing of the Roman state. This is in line with the previous arguments of Christians that their God did indeed support the state and the emperor.[444] However, by extension, this letter would have also reinstated the practices of Manichees, whose religion had previously been attacked by the emperors in the Rescript on the Manichees of 302. The letter marks the beginning of the shift towards a Christian *pax dei*, which Constantine and his sons would emphasise rigorously throughout their reigns.

Letter to the East

Constantine continued his promotion of Christian worship following his defeat of Licinius in 324. The letter he sent to the East also emphasises freedom of religious worship. Until defeating

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derived from an 'ancient moral code'. Dillon 2012: 64-65 echoes these sentiments, claiming that both Constantine and his legal programme demonstrated a great deal of *romanitas*.

[439] Constantine's ambiguous public image helped to formulate such ideas. Cf. *CIL* VI.1139; Bardill 2012; Barnes 2011: 18-20; Drake 2000: 181-3.

[440] This is a letter, not an edict.

[441] Cf. Euseb. *HE*. X.5.2-14; Lact. *DMP*. 48.2. It is important to acknowledge the scholarly debates surrounding this document. Barnes 2011: 92-5 provides an overview of the differing approaches to the document, declaring its use as an 'edict' is anachronistic. Further, he states that it is not the first document of its kind, with the edict of Gallienus in 260 the first to grant religious toleration on behalf of the Christians.

[442] Barnes 2011: 95-7.

[443] Euseb. *HE.* X.5.4.

[444] Cf. *Act. Cypr.* 4.1; Euseb. *HE.* VII. 11.8.

Licinius, Constantine had not ruled the East, and consequently, the Eastern provincials were not privy to his religious policies. The necessity for Constantine to establish himself and his approaches to religious policy is clear in the letter.[445] Constantine's tolerant approach to religious 'freedom' would eventually become one as stringent and aggressive as his predecessors.[446] The introduction of a number of anti-pagan laws would bring with it a new position for the emperor within Roman society.[447] The letter from Constantine to the Eastern Provincials addresses the matter directly. Here, Constantine employs similar rhetoric as is found in other edicts of toleration, rescinding the anti-Christian approach of his predecessors.[448] However, the extent to which Constantine grants freedom and reverses the policies is of a much greater depth than those of his predecessors.[449] It is made clear Christians are to enjoy every freedom and privilege they had been previously denied. Further, Constantine notes the need for the Christian god to be acknowledged properly.[450]

One of the new promises made by the letter is its instruction regarding property of the deceased. Rather than the imperial treasury becoming the inheritor of the property of kinless deceased, the property would be sent to the Church.[451] This can be construed as stamping the authority of the church on the day to day life of those within the empire. Constantine effectively inserted himself into the affairs of the church by acting as its principal benefactor. If any Christians doubted the emperor's sincerity regarding his benefactions, their freedom to worship as a Christian would be emphasised. Christians were also granted a number of privileges and reappointments. Constantine stresses that those who had been stripped of their positions were allowed to be reappointed, referring to both curial and military posts.[452] Further, Christians were privileged in imperial positions. If a pagan was appointed in a position of great importance they were forbidden from advertising their religious adherence, being banned from publicly participating in worship.[453] This letter was only the beginning of Constantine's Christian benefactions and image. Later Constantinian legislation sought to diminish the importance of traditional religion, going as far as banning intrinsically pagan practices.

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[445] Heather 1994: 14-16.
[446] There are many debates surrounding, however, Heather and Moncur 2001: 49-50 convincingly argue Constantine would have introduced some measures against the pagans, built upon by his sons.
[447] This will be discussed in more detail below.
[448] Cf. the following edicts of toleration: Gallienus: Euseb. *HE*. VII. 13.2; Galerius: Euseb. *HE.* VIII.17.1-11; Lact. *DMP*. 33.1; Maximinus: Euseb. *HE*. IX.10.5.
[449] Care must be taken when comparing Constantine to his predecessor Licinius on account of their civil war: Corcoran 2010: 98-99; Humphries 2008: 85-6.
[450] Euseb. *VC*. II.24.3: 'For who is likely to meet with any good, if he neither acknowledges the God who is the source of good things, nor is willing to worship him properly?'; Cameron and Hall 1999: 240.
[451] Cf. *C.Th*. 16.2.4; Euseb. *VC*. II.36.
[452] Euseb. *VC.* II. 32.2-4.
[453] *C.Th*. 16.2.2.

Against Polytheistic Religion

This letter, also addressed to the Eastern Provincials, renounces the behaviours of Constantine's Tetrarchic predecessors. Constantine blames the beginning of the persecutions on both Diocletian and the 'false' oracles of Apollo.[454] Perhaps the most important indicator of Constantine's stance against paganism is Eusebius' statement that he had promulgated two policies directly against pagan practices. This correlates with an edict of Constans in 349, which proclaims an outright ban on blood sacrifice.[455] It is evident in Constans' edict that Constantine had earlier promulgated measures against the practice. However, as will be discussed in detail below, it is not likely these were widely enforced.[456]

Constantine's rescindment of religious toleration can be understood as reactionary. Given the emperor entered the East as an unknown quantity, it was necessary for him to build as many relationships as possible, especially with the episcopal elite.[457] This, combined with his existing knowledge of the earlier persecutions in the East of Maximinus, informed his imperial stance. The clear distinction between the new ruler of the East and his predecessors is immediately clear:

> I held the previous emperors as exceedingly harsh because of their savage ways, and only my father engaged in gentle deeds, with wonderful reverence calling upon the Saviour God in all his actions. All the rest were mentally sick and embraced savagery rather than gentleness; they cultivated it unremittingly, perverting the truth for their own advantage. Their terrible wickedness reached such intensity that when all divine and human affairs were alike at peace, civil wars were rekindled by them. (trans. Cameron and Hall)[458]

The providence of the Christian God is again stressed in the letter, with Constantine's victory and ascendancy a direct result. The need to ensure the further stability of the Christian God's benefactions is a constant issue in Constantine's reign. Indeed, it is indicated in the letter that the break in the *pax deorum* had resulted in the outbreak of civil war. Constantine's God sought retribution for the actions of his predecessors. Here, a new understanding of the *pax deorum* was formed: Christian prayers were now deemed appropriate. This would ensure a broader *pax deorum*. If both pagans and Christians acted appropriately, the empire and its emperor would receive divine benefactions. Constantine placed himself directly into ecclesiastical matters and their promotion.

[454] Euseb. *VC*. II.50, 54; Digeser 2004: 57; Drake 2000: 144.
[455] *C.Th*. 16.10.2.
[456] See section III.IV.2.
[457] Heather 1994: 15-6
[458] Euseb. *VC*. II.49. This section recalls the rhetoric of the earlier Tetrarchs as discussed in Chapter 2.

Constantine and the Councils of Arles and Nicaea: 314 and 325

Constantine's participation in ecclesiastical matters within the empire saw his involvement in both the council of Arles in 314, and convening the first ecumenical council in Nicaea in 325. The involvement of an emperor in ecclesiastical debates was not the innovation of Constantine. His predecessor, Aurelian, had been at the centre of an ecclesiastical debate regarding the bishop Paul of Samosata.[459] However, the Constantinian image of Aurelian downplayed all the emperor's achievements. [460] This consolidated Constantine's image as the first 'Christian' ruler of the empire. Constantine's involvement in the issue of schisms and heresies was yet another introduction of a new position and expectation of the emperor and church.

Constantine's frustration with the division of Christians throughout the empire is often suggested as the motivation for his interventions. The council of Arles in 314 is one such example. Following the Diocletianic persecutions, a schism had formed in the churches of North Africa.[461] The followers of the bishop Donatus did not accept the Catholic Church's reacceptance of members who had lapsed during the period of the Great Persecution.[462] As a result, a dispute regarding ecclesial authority erupted between the two groups.[463] In many ways, the Donatist controversy had its roots in a similar dispute resulting from the Decian persecution and its resulting schism Novatianism.[464] The Donatist controversy caused Constantine a great deal of concern. The warring Christians brought disrepute to Constantine and his favouring of Christianity. Consequently, he intervened. This is signalled by his letter to the bishop Chrestus of Syracuse.[465]

Constantine had introduced measures to control the Donatists, but these ultimately failed.[466] The church here was deeply divided on account of the Donatist schism.[467] However, these letters demonstrate Constantine's placement of himself in the midst of ecclesiastical matters. Indeed, the *pax deorum* could be threatened, not only through civil war, but also through the warring Christian schisms. A failure of unity within the empire as a whole could be made worse through disunity in a community that ought to be united. Indeed, the issue of religious schisms is clearly one Constantine

[459] Hurley 2012: 81; Millar 1971: 52-83; Watson 1999: 199.
[460] Even Julian follows the family line on this matter: Julian *Caes*. 313.D; The Constantinian line on Aurelian: Euseb. *HE.* VII. 30.20-21; Lact. *DMP*.6.1; Constantine *Oration to the Saints*: 24; Hurley 2012: 75.
[461] Decret 2011: 102-3; Edwards 1997: xi. It is noteworthy that the main issue that had caused the schism was attitudes to the lapsed following periods of persecution. As a precursor to Donatus, Cyprian had also suggested the return of the lapsed was not appropriate following the end of persecution. Cf. Cyprian *De Laps.* 3; *Ep*. 57.1.2.
[462] Chadwick 2001: 195; Decret 2011: 102.
[463] Shaw 2011: 491-2.
[464] Novatianism is also classed as a heresy. *C.Th* 15.5.2. discusses their legitimacy, but is determined to ensure they are not counted among Catholics. Drake 2000: 214-5.
[465] Euseb. *HE*. X.5.21-24.
[466] Shaw 2011: 493 describes the outcomes of Constantine's interventions as 'clumsy', which is demonstrated by the fact the measures regarding the Donatist controversy failed.
[467] Barnes 1981: 56.

was concerned with. These schisms would continue to cause discomfort and disunity in the empire for the decades succeeding the rule of Constantine. The imperial attitude towards Donatism continued to be negative, with a number of later documents in the Theodosian Code proclaiming the sect as heretical.[468] The Donatist controversy was only the first of many controversies that would tar a newly Christianised empire.

Constantine would again involve himself with the controversy surrounding Arius. Arius, a presbyter in Alexandria had alarmed those around him with his insistence of what Chadwick terms as a 'subordinationist' approach to the matter of the substance of God and Christ.[469] As a result of these claims, Arius was excommunicated by Alexander, bishop of Alexandria, resulting in the beginning of the Arian controversy.[470] Constantine was alarmed by the disagreement between the bishop and presbyter and the divide it was causing throughout the Christian world.[471] Divided Christians would not bring about the Christian *pax dei* propagated by Constantine. Evidently, his response to the Donatist controversy seems to have resulted in some kind of an agreement, so, he again intervened.[472] Constantine first sent a letter to both urging for the cessation of the conflict, and secondly, he called for the ecumenical council in Nicaea.[473]

The council was the first ecumenical meeting of Christians. Here, Constantine acted as an arbitrator of the issue at hand.[474] It is recorded that three main issues were debated upon by the bishops in attendance at the council, the most prominent of which was the Arian controversy.[475] Arius' outspoken views on the nature of the Trinity led to disagreement within the church, which had until this point not encountered such a divisive issue.[476] The consequence of Arius' views meant that he and his followers were branded as apostates from orthodoxy. Furthermore, the Arians were equated as being as misguided as the Donatists; both groups were said to have rejected the true nature of Christianity.[477] The council was successful, albeit momentarily, in determining its issues surrounding a shared Christology.[478] Arius and his followers were excommunicated from the

[468] See *C.Th*. 16.5.37-41; *Sirm*. 12. Among a number of others declaring the heresy of the Donatists.
[469] Chadwick 2001: 196; Drake 2000: 138.
[470] Haas 1993: 239.
[471] Euseb. *HE*. X.5.21-24.
[472] He sent a letter to the two in order to stop their quarrel, but this was unsuccessful. Euseb. *VC*. II.69; Drake 2000: 240.
[473] Euseb. *VC*. III.4-6.
[474] Drake 2000: 241-2: However, this is not the first time Constantine acted as arbitrator. Drake suggests due to Constantine's participation in the Council of Arles he was better equipped for the Arian affair.
[475] Leithart 2010: 147-8: The other topics debated included the Meletian schism, and the date of Easter.
[476] Barnes 1981: 215.
[477] Simmons 2015: 197: Constantine went as far as calling Arians 'Porphyrians' on account of their failure to abide by orthodoxy.
[478] Drake 2000: 257.

Church, and the Arian doctrine was negated by the creation of the universal 'Nicaean Creed'.[479] Furthering his appearance as an imperial benefactor and arbitrator, the council was followed by the celebration of Constantine's *vicennalia*.[480] Constantine emphasised the importance of Christian and imperial unity: the two were reliant upon each other to ensure the continuation of the *pax deorum*. The bishops experienced Constantine's generosity and benevolence firsthand. Constantine had provided them with banquets and granted them imperial privileges, but had also promised a great deal of money to the church as part of his *vicennalia*.[481] Here Constantine was acting in the manner of a *civilis princeps*.[482] This awareness and link between the imperial house and the Church made the latter more legitimate and important for the rule of Constantine. Following his arbitration of ecclesiastical matters, Constantine's *vicennalia* proved the emperor's position and his expected treatment of the church and its figures.

In the case of the ecumenical council, Constantine presented himself as an imperial arbitrator, signalling a new role for the emperor regarding religious affairs. Constantine's role as an imperial benefactor is also apparent with his funding of the council, and the immediate celebration of his *vicennalia* following the council. While the issue surrounding legitimate Christology had been solved for the immediate future, it would again reignite under the reigns of Constantine's sons. The Constantinian model for involvement in ecclesiastical affairs would be again utilised by Constans and Constantius is 342 with the summoning of the Council of Serdica.[483] It is clear similar anxieties surrounding the stability of the *pax dei* were at the forefront of its summoning. The disunity between the Eastern and Western Christians is exemplified through the exile of Athanasius from the East. The Western churches sympathised with Athanasius' Christology while the East had adopted the controversial views of Arius.[484] The lack of a cohesive Christian community was not conducive to a unified empire and *pax dei.* The model of imperial arbitration of these matters continued following the Constantinian dynasty, and was exploited by the final Constantinian, Julian.

Conclusion

Constantine artfully inserted himself into the centre of the church in an unprecedented manner. The inversion of the imperial attitude towards Christians also saw new persecutions arise, both against non-Christians, and within the Christian community. Constantine clearly linked his position as

[479] Drake 2000: 257; Leithart 2010: 171.
[480] Euseb. *VC*. III.22.
[481] Euseb. *VC*. III.22.
[482] Wallace-Hadrill 1981: 316.
[483] Flower 2013: 118 The earlier Council of Antioch in 338/9 had instated Gregory as the new bishop of Alexandria in the place of Athanasius.
[484] Flower 2013: 188-9. This resulted in the enmity between Constantius and Athanasius that would last throughout his reign.

emperor with the new state of religious tolerance. This was necessary for his image and his control over the whole empire, regardless of their religious adherence. Following his and Licinius' defeat of the armies of Maxentius and Maximinus, the so called 'Edict of Milan' saw yet another introduction of religious tolerance. However, this period also brought with it a number of Christian schisms and conflict as a result of these breaks. Again, Constantine inserted himself into the middle of these affairs, acting as an imperial arbitrator in a much more involved way than had previously been done.

Constantine's summoning of ecumenical councils and synods can be traced back as early as the synod of Arles in 314, during which the Donatist problem was debated. Further, the first official ecumenical council, at Nicaea in 325, following Constantine's ascendancy to sole master of Rome, again saw Constantine as the centre of events. The very fact the conference was funded by the emperor, and was followed by his *vicennalia* is evidence of the emperor's new role in the empire. Now, participation in and arbitration of ecclesiastical affairs had been established as part of the imperial administration. Further, the cooperation and unity of the Church was now vitally important to the stabilisation of the empire and the continuation of the *pax deorum*. This was a legacy that would last far beyond Constantine's own lifetime. His three sons would be heavily involved in ecclesiastical matters, as would most emperors following the anomaly that was the reign of his nephew, Julian. Following Constantine's death in 337 the empire was split among his three sons, Constans, Constantius II, and Constantine II. However, this split would not remain amicable, and within thirteen years of their father's death, Constantius emerged as sole ruler of the empire following the deaths of his brothers. Constantine's reign signalled the beginning and change of imperial involvement in ecclesiastical matters, and also through the promotion of a new *pax deorum*. The general air of tolerance for all was later reversed, and Constantine implicitly implied the superiority and benevolence of his god. Constantine effectively introduced a new set of Roman practices through his acceptance of Christianity in the empire: Christianity was beneficial to Rome and its people.

III. Julian the Administrator

Although his reign was brief, Julian introduced many reforms both religious and administrative. A number of these constitutions can be used to understand Julian's attempts to reinstate what he understood as proper religious practices in the face of the Christian rules of his uncle and cousins. In many cases, these constitutions aim for the alienation and division of the Christian community while simultaneously promoting the need for a return of the Roman gods and rites in the empire. For Julian, this would result in the empire being religiously unified and once again stable. Julian understood that the *pax deorum* had been jeopardised on account of the apostasy of his predecessors and sought to reinstate practices that would preserve this pact. This stands in direct contrast with the efforts of his uncle, whose legacy had not been forgotten by the Christian communities throughout the empire. Julian took advantage of the expectation of imperial arbitration in ecclesiastical affairs, and would use this to promote his own pagan agenda.

This section will argue that Julian firstly sought to implement his own brand of paganism and morality in the empire, and secondly, he wished to end the challenge to paganism that existed throughout the empire. This was heavily motivated by his desire to return the traditional religion to the empire and *pax deorum*. It must be stressed that Julian's policies are not entirely innovative: the emperor utilised a number of traditional actions as a vehicle for promoting his vision for Rome. From the outset of his accession in 361, Julian demonstrated his position as a man steeped in tradition. The mix of traditionalism and innovation utilised by Julian is demonstrative of his attempts to instate a set of practices that fit in with his austere personality, while also maintaining the *pax deorum* and the importance of the reinstatement of proper Roman behaviours.

This section will address some of the emperor's most well-known administrative changes, and discuss the ways in which they are both innovative and traditional in the same stroke. Further, it will argue that these policies were an attempt to revive paganism and the *pax deorum* within the empire, which he understood as not possible while Christianity possessed such influence on the imperial administration. Julian's 'persecution' was rather bloodless in comparison to those of earlier emperors, however, blood was still shed.[485] Julian's desire for a reinstatement of pagan rites is reminiscent of the decree of Decius. Universal support was necessary for a healthy relationship with the gods. This case study will analyse some of Julian's best known administrative changes. These include the School Law of 362, Blood Sacrifice, Julian's relationship with the Jews, the Funeral Law of 363, and the Recall of Exiled Bishops.

[485] Julian. *Ep*.21,40.

The School Law (362)

One of the most important pieces of Julianic legislation is the school law of 362.[486] It will be argued that the well-educated emperor was concerned with the decline in the standards of education at the time, and felt the need to directly intervene in the appointment of teachers. Further, through attempting to protect the traditional role of educators and their personal beliefs, Julian not only tried to ensure a pagan education for young boys, but to make Christians aware of the public privileges (i.e. exemption from the imperial liturgies) they would lose due to their religion.[487] Julian used the School Law to dictate what made a Roman citizen. He saw it as necessary to ensure those who were educated received a proper and moral education free from contradiction. This links to Julian's promotion of the *pax deorum*: if students were educated properly, this would see a return of Roman practices and the restoration of the relationship with the true gods, rather than the Christian God.

Education during the late third and early fourth centuries had been compromised by not only the instability of the state, but by the expectation that individuals were to participate in curial positions for the state.[488] Consequently, a shortage of educators ensued. The problem of curial participation for educators had been addressed as far back as the Flavian period, with professors exempt from taxation.[489] The period in which Julian lived also saw an increase in administrative centralisation throughout the empire as a result of the preceding decades.[490] Through having a network of teachers promoting Julian's pagan agenda, he was able to control the type of education received by youths.

During his journey from Constantinople to Antioch, Julian issued an edict attempting direct intervention in the appointment of teaching positions.[491] The first component of this edict is preserved in both the Theodosian and Justinianic Codes, and is demonstrative of Julian's commands for direct intervention in the education system:

> The same Augustus (Julian).
> Masters of studies and teachers must excel first in character, then in eloquence. But since I cannot be present in person in all the municipalities, I command that if any man should wish to teach, he shall not leap forth suddenly and rashly to this task, but he shall be approved by the judgement of the municipal senate and shall obtain the decree of the Decurions with the consent and agreement of the best citizens. For this decree shall be referred to Me for consideration, in order that such teachers may enter upon their pursuits in the municipalities with a certain higher honour because of Our judgement. *Given on the fifteenth day before the kalends of July. Received on*

[486] Cf. Banchich 1993; Hardy 1968; McLynn 2014; Watts 2006.
[487] *C.Th.* 13.3.5.
[488] Cf. *C.Th.* 13.3.3, 10; *C.Th*. 13.3.1- 5, 13.3.7. Please also refer to Jones 1964 V1 on Constantine's granting of curial immunity for Christians.
[489] Suet. *Vesp*. 18; Sanford 1945: 545-7; Woodside 1942: 126-7.
[490] Watts 2006: 70. Cf. Zuiderhoek 2009: 41.
[491] Barnes 1993: 228; McLynn 2014: 124.

> *the fourth day before the kalends of August at Spoleto in the year of the consulship of Mamertinus and Nevitta (362)* (trans. Pharr).[492]

This edict is dated to June 362 and demonstrates Julian's wish to have the final verdict in all municipal educational appointments.[493] The first component does not include reference to Julian's desire to exclude Christians from educational positions, but would later be expanded with another piece of imperial legislation, dating to later in 362.[494] McLynn argues the initial edict may have had its genesis while Julian was meeting with *curiales* in cities throughout the empire and consequently deciding to issue an empire wide response.[495] The first stage of the policy would see lists of teachers and their religious convictions collected by, and made available to the councils of each town. This would later enable Julian, and those acting in line with his edict to investigate those whose character had come into question, on account of their adherence to Christianity.[496] This would be made possible through the enactment of a corresponding rescript preserved in *Ep*. 36, which is concerned with Christian teachers.

The rescript follows the typical stylistic conventions of this period, despite it failing to mention a place and recipient.[497] It is dated to later in 362 and decreed that Christians were not suitable to teach.[498] Julian stated that he found it incomprehensible that a teacher could teach something while believing another. This behaviour, he argued 'does not do well for an individual in the role of grammarian, rhetorician or sophist.'[499] Christians, according to Julian, were not obeying the old laws of Rome, but instead those of Matthew and Luke.[500] Here, Julian outlines what he understands as proper Roman behaviour through dictating which teachers would be most beneficial to the wellbeing of the empire. Pagan teachers, versed in pagan Roman traditions were far superior than Christian teachers expounding views they do not believe in.

The relationship between the edict and rescript has been heavily debated. Neil McLynn understands the rescript's aims to be more in line with the chastising *Misopogon* than a rescript.[501] However,

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[492] *C.Th*. 13.3.5. Cf. *CJ*. 10.53.7. The Justinianic Code only includes the first part of the edict.
[493] Hardy 1968: 131.
[494] Julian *Ep*. 36.
[495] McLynn 2014: 125 argues this can possibly be result of an enquiry from *curiales* regarding a disreputable (maybe not Christian) educator, which in turn demands an investigation into character.
[496] Watts 2012: 469.
[497] Harries 2012b: 130.
[498] Julian *Ep*. 36. Banchich 1993: 5-7; McLynn 2014: 122.
[499] Julian. *Ep*. 36. 423C. 'But since the gods have granted us liberty, it seems to me absurd that men should teach what they do not believe to be sound.'
[500] Julian. *Ep.* 36. 423D. 'If, however, they think that those writers (the classics) were in error with respect to the most honoured gods, then let them betake themselves to the churches of the Galilaeans to expound Matthew and Luke, since you Galilaeans are obeying them…'
[501] McLynn 2014: 126.

references made to the School Law by Ammianus indicates that there was another component of the initial law that specifically targeted Christian teachers.[502] The initial edict is recorded as having been posted at Spoleto in Umbria, and its language indicates it was indeed an empire-wide request. In the recorded versions of the text, no reference is made to religion, with focus is upon the character of the teachers and the role of Julian and later emperors, and the local councils, in judging and appointing these positions.[503] However, this, combined with the rescript indicates Julian's desire to ensure the character of the teachers would avoid the hypocrisy that came with being a Christian teaching pagan classics.

These policies demonstrate Julian's anxiety that the state and education were becoming less traditionally Roman on account of the stronger Christian presence in the empire. This is accompanied by his fear that pagan youths could potentially be corrupted by their Christian teachers. It is apparent that Julian was not necessarily entirely consumed by his desire to reinstatement of paganism, but rather, the reinstatement of tradition. With this came the restoration of the importance of the Roman gods Julian recognised. Despite this being his primary aim, a number of Christian writers saw these policies as a direct attack on Christianity and its place in Roman society. Those Christians composing anti-Julianic works distorted the initial aims of the emperor, suggesting Christians themselves were not to be educated.[504] However, Julian states that Christians should not be denied an education, due to their 'insanity'; and those who were insane should be educated, rather than harmed.[505] Julian seems to have been aware of the failure of the coercive measures previously used by his predecessors, and as such saw the opportunity to convert Christians by exhortative measures rather than bloodshed.[506] An example of this approach is the exemption granted to the Christian educator Prohaeresius. The professor had been granted freedom to continue teaching by Julian.[507] Consequently, he presented with a dilemma: if he continued to teach following the direct measures of the rescript, Prohaeresius would probably lose his own credibility in the Christian community, while if he ceased teaching, he would have conformed to the imperial measure.[508] Both outcomes would have benefited Julian and his image.

It is quite possible, as Tougher suggests, that Julian was hoping other Christian youths would be converted by inspirational pagan teachers, as he had been by Mardonius.[509] While this is an

[502] Amm. Marc. 22.10.7; Harries 2012b: 130; Matthews 2000: 275.
[503] McLynn 2014: 130.
[504] Cf. Oros. 7.30.; Soc. *Hist. eccl.* 3.12.7; Sozom. *Hist. eccl.*. 5.18.1.
[505] Julian *Ep*. 36. 424A.
[506] Elm 2012: 143.
[507] Julian *Ep.* 14.
[508] Jerome *Chron*. 363.2; McLynn 2014:133.
[509] Tougher 2007: 14; Watts 2012: 476.

interesting argument, it perhaps could be pushed further as an attempt to inform Christians of positions they would not be able to hold in the future at a young age. This in turn could encourage youths to apostatise from Christianity to paganism, resulting in more support for the gods and the *pax deorum*. By not allowing Christians to hold teaching positions that received a number of exemptions and privileges, it was subtly suggesting that only pagans deserved to possess these influential positions.[510] McLynn suggests this could have been openly utilised by Julian in a specific case in Ancyra in which a pagan professor received notable privileges.[511]

While one would generally assume these reforms were positively received by pagans, Ammianus provides a rather sharp response to the laws, criticising that Julian:

> … after many other things, he also corrected some of the laws, removing ambiguities so that they showed clearly what they demanded or forbade to be done. But this one thing was inhumane, and ought to be buried in eternal silence, namely, that he forbade teachers of rhetoric and literature to practise their profession if they were followers of the Christian religion (trans. Rolfe).[512]

Ammianus' view on the reforms is interesting, especially given his position as a pagan and an individual who served under Julian's command as general.[513] Such an opinion likely reflects how the reforms would have been received by a wider audience, rather than those who subscribed to Julian's austere beliefs. Julian's rescript and position on the school law would be rescinded by Valens and Valentinian, following his death in 363.[514] However, the fact Julian's initial edict on education is included in the Theodosian and Justinianic Codes is indicative that the Christian compilers found its measures to be acceptable.[515]

Julian and Blood Sacrifice

Before Julian's ascent to power and revival of blood sacrifice, members of the Constantinian dynasty issued a series of laws forbidding its practice across the empire. While these policies demonstrate a harsh and often unforgiving set of actions, it is not surprising Julian would repeal these laws.[516] Julian's desire was to see a reinstatement of the pagan gods to prominence throughout

[510] See *C.Th*. 13.3.3 (a pre-Julianic exemption), and *C.Th*.13.3.10. (a post-Julianic exemption).
[511] McLynn 2014: 126.
[512] Amm. Marc. 22.10.7. Another point of criticism is found at 25.4.20: 'For the laws which he enacted were not oppressive, but stated exactly what was to be done or left undone with a few exceptions, for example, it was a harsh law that forbade Christian rhetoricians and grammarians to teach, unless they consented to worship the pagan deities.'
[513] Kelly 2008: 3.
[514] *C.Th*. 13.3.6. is dated to 364, six months following Julian's death and announces: 'If any man should be found equally suitable in character and eloquence for teaching the youth, he shall either establish a new auditorium or seek one that has been abandoned. 11 January 364.'
[515] Bradbury 1994: 135; Matthews 2000: 278; Matthews 2010: 24.
[516] *C.Th.* 16.10.4. Julian would then reverse this, by ordering those of the church at Edessa to surrender their wealth to the fisc in order to fund the soldiers, and their property given to Julian for lay uses; Julian. *Ep.* 40. 424D.

the empire. The neglect of intrinsically Roman religious practices concerned him. Julian was not impressed with the lack of libations and sacrifices being made to the gods on account of an apparent aversion to blood sacrifice. Julian subsequently feared for the maintenance of the *pax deorum*. It is clear the imperial position on blood sacrifice had changed from the period of the Tetrarchs, with the Constantinian laws promoting its cessation. The Constantinian approach to blood sacrifice removed it from its Roman association. The first of these laws is recorded in Eusebius' *Life of Constantine*, in which he suggests Constantine issued a decree against pagan sacrifice.[517] The text is adamant Constantine had called for an end to blood sacrifice, an action he found disgusting and disturbing. The Christian god did not require such ostentatious displays of piety.[518] Then, in 341, his son Constans issued the following law, referring to the earlier pronouncement of his father:

> Emperor Constantius II [Constans] Augustus to Madalianus, Vice Praetorian Prefect of Italy.
> Superstition shall cease; the madness of sacrifices shall be abolished. For if any man in violation of the law of the sainted Emperor, Our father, and in violation of this command of Our Clemency, should dare to perform sacrifices, he shall suffer the infliction of a suitable punishment and the effect of an immediate sentence. 341. (trans. Pharr)[519]

Here, the link between this law and an earlier example is clear in its reference to the 'law of our sainted father'. This is indicative the ideals set in motion by Constantine continued under his sons. Further, another law, issued in the reign of Constantius and in the name of both Constantius and Julian, calls for capital punishment of those found participating in sacrifice or image worship:

> The same Augustus (Constantius) and Julian Caesar. If any persons should be proved to devote their attention to sacrifices or to worship images, We command that they shall be subjected to capital punishment. Given on the eleventh day before the Kalends of March at Milan in the year of the eighth consulship of Constantius Augustus and the consulship of Julian Caesar. February 20, 356. (trans. Pharr)[520]

This law is again, a continuation of the policies first introduced by Constantine. While it is tempting to read this laws on their face value, they deserve a more thorough treatment. This includes consideration of the extent of enforcement, and the state of blood sacrifice during this period. As is the case with the policies promoted by Diocletian during the first decade of the Tetrarchy, these examples were most likely used as exhortative measures.[521] Scott Bradbury argues these policies served as a 'moral proclamation' used to educate society about what was and was not construed as

[517] Euseb. *VC*. 2.45; Bradbury 1994: 121.
[518] Euseb. *HE*. VII. 11.8: Again, this is an argument that had existed for some time, see Dionysius of Alexandria's response to being compelled to sacrifice in
[519] *C.Th.* 16.10.2; Salzman 1987: 180 on the edict being issued by Constans, rather than Constantius.
[520] *C.Th*. 16.10.3.
[521] Cf. Prices Edict, *Collat.* 6.4.1-8, 15.3.1-7; Bradbury 1994: 137.

appropriate behaviour.[522] These laws against blood sacrifice indicate a new expectation of Roman behaviour. No extant evidence exists for the punishment of those found to be participating in blood sacrifice. Indeed, the very fact Julian returned from his campaigns with his men enthusiastically sacrificing alongside him indicates its occurrence despite the promulgated measures.

Further, blood sacrifice during the fourth century appears to have occurred more frequently in the West, with less imperial influence within the cities, as opposed to the strong imperial presence in the East.[523] For example, Bradbury also includes reference to the case of the philosopher Demetrius Cythras, who was tried for treason for sacrificing to the gods in 359 (under the orders of the second law).[524] The philosopher, while found to be partaking in blood sacrifice was instead found guilty for his participation in an illicit form of divination rather than his sacrificial actions.[525] This is a strong indication that the imperial administration was not so much concerned with the practice of traditional aspects of the pagan cult as much as it was with practices that had already been deemed inappropriate.[526] It is clear that at this point, blood sacrifice had lost its popularity with a large portion of the population, especially in the East.[527] Previously Constantine, while based in the East, had spoken out regarding his distaste for the practice.[528] Thus, this attitude is not surprising.

Julian's austere nature ensured his desire to continue a practice he saw as vital to maintaining the *pax deorum*. In his letter to the philosopher Maximus, Julian emphasises his wish to restore the legality and practice of blood sacrifice to the empire. The emperor outlines his mission, stating:

> I worship the gods openly, and the whole mass of the troops who are returning with me worship the gods. I sacrifice oxen in public. I have offered to the gods many hecatombs as thank-offerings. The gods command me to restore their worship in its utmost purity, and I obey them, yes, and with a good will. For they promise me great rewards for my labours. (trans. Wright)[529]

Julian connects pure sacrifices with divine support for himself as emperor, and for the stability of the wider empire. He understood the practice as necessary for the proper acknowledgement of the Roman gods. As is the case for the other religious choices made by Julian, they demonstrate an

[522] Bradbury 1994: 137. This is similar to the proclamations made by the Tetrarchy in the series of policies included in chapter 2.2.
[523] McLynn 1996: 326; Salzman 1987: 176; Salzman 2011: 169.
[524] Bradbury 1994: 134; *PLRE*[1] 1971: 248 suggests Demetrius was a victim of the torture trials at Scythopolis in 359.
[525] Amm. Marc. 19.12.12; Bradbury 1994: 134.
[526] See Salzman 1987.
[527] Bradbury 1994: 129; McLynn 1996: 325-326 Suggests that even in the West the practice had become something of a more private affair, with the taurobolium being one of the last displays of public sacrifice. It is also noted that the actions in the West seemed to co-exist peacefully with the Christian community.
[528] Euseb. *VC.* 4.10; Bradbury 1994: 129.
[529] Julian. *Ep.* 8.415C.

attempt to undermine Christians, while also reviving a traditionally Roman aspect of pagan religion he understood as necessary for the empire and *pax deorum*.

Despite his quiet conversion following 351, it is clear Julian was not in a position to flaunt his religious adherence: Constantius had only recently called for Gallus' head on account of his seditious behaviour.[530] Julian had previously sacrificed in secret despite these laws being in place, however, as has been previously discussed, it is more likely the rhetoric presented by these laws was to be a moral and directional example.[531] After becoming sole Augustus, Julian rescinded these laws and fervently set about his own vision for sacrifices. In his letter to the philosopher Maximus, Julian is jubilant that he is able to sacrifice in the open, and that a number of his men had also participated in the sacrifices with fervour.[532] However, while the emperor understood this behaviour as necessary, it is clear blood sacrifice had lost its popularity among the masses.[533] Julian's anxiety regarding this is clear in his letter to Arascius, High Priest of Galatia, in which he voices his disappointment that 'Hellenism does not yet prosper as I desire…'[534] Julian's reforms required the embracement of sacrifice throughout the empire.

Julian's sympathies with the Neo-Platonism is indicative of influences on his position regarding sacrifice: Iamblichus stated that no prayer was complete without sacrifice.[535] However, the type of sacrifice was a commonly debated topic in the school. Figures such as Porphyry declared blood sacrifice a base action the high gods did not deserve.[536] Julian opted for a different approach to Porphyry and sacrificed with fervour. One of the more polemical responses to Julian's actions belongs to John Chrysostom:

> … For one would have thought that Julian reigned for this purpose only, namely to get rid of all the animals of the world, so lavish was the massacre of sheep and cattle on the altars of the temple! Indeed he carried out such a frenzy that a great many of those among them who still appeared to be philosophers came up with crude nicknames for him, such as 'cook' and 'butcher' and so on… (trans. Morgan)[537]

Ammianus also quipped that had Julian returned from his Persian expedition there would have been an 'imperial shortage of cattle'.[538] This reference to Julian recalls real distaste towards the practice existing among pagans and Christians. Further, Ammianus in his eulogy on Julian declares him

[530] Jerome. *Chron.* 354.17.
[531] Julian. *Ep.*8. 415C: 'I worship the gods openly… I sacrifice oxen in public.'; Bradbury 1994: 137.
[532] Julian. *Ep.*8.415C.
[533] Cf. Julian. *Mis*. 361B-C.
[534] Julian *Ep*. 22.429C.
[535] Bowersock 1978: 87; Elm 2012: 284 suggests Julian's fervour, and that of his men was not widely well received.
[536] Porph. *Abst*. II. 36-7.
[537] John Chrys. XIX.103.
[538] Amm. Marc. 25.17.3.

'superstitious rather than truly religious', indicating Julian's keenness on blood sacrifice was not well received by all pagans, and was even seen as excessive.[539] Julian's desire to emulate his predecessors such as Marcus Aurelius is also suggested by Ammianus, whose inclusion of a Greek distich relating to Marcus mocks both Julian and his hero.[540] It is important to note that provincial support for the restoration of Roman rites is evident in inscriptions and graffiti.[541] Julian's fervour and expectation of the acceptance of blood sacrifice is further exemplified in the *Misopogon.*

In composing his satire, the *Misopogon* in 362 following his departure from Antioch, Julian outlined a number of issues that had displeased him following his stay in the city. Julian's time in the city can be remembered as nothing less than a political fiasco. The emperor failed to make himself popular with the masses, and was deeply offended by their refusal to acknowledge his gods. The city stood to gain a great deal of imperial benefaction had they accepted Julian as he anticipated, but ultimately, they instead received the sarcastic and satirical work. Julian, having entered the city with his men, who enthusiastically participated in the practice, was left confused as a result of the Antiochene hostility to the practice.[542] The *Misopogon*, described by Gleason as an edict of chastisement, was displayed on the gates of the city's palace following the emperor's departure from the city.[543]

The citizens of Antioch offended Julian on a number of levels, but perhaps the most offensive was their treatment of the gods. Julian notes that he had encouraged the citizens to worship after his own manner, being unimpressed that the citizens attended the shrine only to see him. He responded by chastising the Antiochenes:

> You hardly ever assemble at the shrines to do honour to the gods, but to do me honour you rush here in crowds and fill the temples with much disorder. Yet it becomes prudent men to pray in orderly fashion, and to ask blessings from the gods in silence. (trans. Wright)[544]

Here, Julian again demonstrates his failure to understand the differences between his paganism and the practices of the Antiochenes.[545] Julian's problems did not lie solely in the reinstatement of traditional practices, but rather, the manner in which he sought their practice. Ultimately, Julian's

[539] Amm. Marc. 22.12.6, 25.4.17; Jones 2010: 501.
[540] It should also be noted that Julian did not necessarily always approve of Marcus' behaviours. Amm. Marc. 25.4.7; Lane Fox 1997: 250.
[541] Greenwood 2014 outlines a number of inscriptions that demonstrate positive reactions to the emperor's reforms, including: *ILS* 752= *CIL* 8.4326, 18529= Conti 167; *AE* 1893, 87= *ILAlg* 4674=Conti 176; *AE* 1969/70= *AE* 2000= Conti 18*; ILS* 9464= Conti 1; *ILS* 8946 = *CIL* 3.10648b= *ILCV* 11= Conti 73.
[542] Limberis 2000: 378.
[543] Baker-Brian 2012: 266-7; Gleason 1986: 116.
[544] Julian. *Mis*. 344 C-D; Zos. 3.76.
[545] Downey 1939: 308.

austerity and ignorance of the common people made him unaware of the challenges he faced. Instead of only requiring a return to practices associated with traditional Roman religion, Julian's paganism included a level of austerity not easily transferable to a non-intellectual population. Even those who adhered to Neo-Platonic doctrines like Julian found these measures incomprehensible. This disunity is not unlike what Constantine had faced. Unwittingly, Julian's reign was echoing a number of similarities with that of his uncle's. Rather than facing a disunited Church, Julian was faced with a number of disunited pagans: adherence to the pagan gods did not guarantee a unified approach in ritual actions.[546] Julian further emphasises this point through a quotation of Homer, stating 'For you applaud men instead of the gods, or rather instead of the gods you flatter me who am a mere man…'[547] Julian's ire is further exemplified by his sarcastic attack on himself in which he admonishes his own fervent worship at the temples in Antioch: 'Now who could put up with an emperor who goes to the temples so often, when it is in his power to disturb the gods only once or twice…'[548]

Julian furthers his expression of frustration with the citizens of Antioch through disparaging their licentiousness and behaviours that even in the time of Cato the Younger had been understood as against the values of Rome.[549] Despite Julian's attempts to implement his manifestation of state religion, it was clear his request had fallen on the deaf ears of the Antiochenes.[550] Julian was further disappointed after he asked a priest what was to be presented to the god as a sacrifice, and the priest only had with him one goose.[551] This anecdote demonstrates the argument presented by Bradbury, who discusses the negative associations of blood sacrifice in this period.[552] Julian utilised this in order to alienate those who refused to practice: if a town did not adopt the emperor's preferred method of worship, they would not receive imperial benefactions. It was clear if a city refused to comply with the emperor's new policies they would fail to win benefactions and the protection of the emperor.[553]

Here it is evident Julian desired to completely rescind the policies and traditions established by his family, ultimately undermining their legitimacy in order to see the return of what he saw as Roman practices and necessary for the *pax deorum*. Julian's anxiety to see an empire unified by his gods

[546] This is in spite of his introduction of an organised priesthood—Athanassiadi 1992: 185.
[547] Julian. *Mis*. 345B.
[548] Julian. *Mis*. 346 C.
[549] Julian. *Mis*. 358B: Julian seems to equate himself with Cato, who also wore a beard in a period where this was not the norm.
[550] Julian *Mis*. 362A.
[551] Julian. *Mis*. 362B.
[552] Bradbury 1995: 349.
[553] Bradbury 1995: 349.

blinded him to the state of sacrifice in the empire and the divisions deeply entrenched in pagan society. His reluctance to accept differing approaches to the placation of the gods and continuation of the *pax deorum* resulted in his political failure at Antioch.

Julian and the Jews

Despite Julian not accepting Christian prayers as beneficial to the *pax deorum*, he did accept the legitimacy of Jewish sacrifice and prayer. It appears Julian had a particular affinity with the Jews, and consequently he undertook a number of measures to win the community's favour. The extent of this is made clear in Julian's address to the Jews, in which he makes a number of promises which were to be fulfilled following his return from Persia:

> In times past, by far the most burdensome thing in the yoke of your slavery has been the fact that you were subjected to unauthorised ordinances and had to contribute an untold amount of money to the accounts of the treasury… moreover, when a tax was about to be levied on you again I prevented it, and compelled the impiety of such obloquy to cease here; and I threw into the fire the records against you stored in my desks; so that it is no longer possible for anyone to aim at you such a reproach of impiety.
>
> My brother Constantius of honoured memory was not so much responsible for these wrongs of yours as were the men who used to frequent his table, barbarians in mind, godless in soul. These I seize with my own hands and put them to death by thrusting them into the pit… since I wish that you should prosper yet more, I have admonished my brother Iulus, your most venerable patriarch that the levy... should be prohibited… but that those who are in all respects free from care should rejoice with their whole hearts and offer their suppliant prayers on behalf of my imperial office to Mighty God, even to him who is able to direct my reign… This you ought to do, in order that, when I have successfully concluded the war in Persia, I may rebuild by my own efforts, the sacred city of Jerusalem. (trans. Wright)[554]

The Jews, unlike the Christians, had never presented a threat to the *pax deorum* and *romanitas* in the empire. Although it is clear Julian sought to win Jewish support, he did not always treat the community in such a positive light. Like his polemicist predecessors (Celsus and Porphyry), Julian admonishes the Jews for their beliefs, but praises them when Judaism is contrasted with Christianity.[555] Julian understood that Christians were apostates from a legitimate religion with a long history and tradition, be it paganism or Judaism.[556] In order to analyse Julian's attitude to the Jews and Judaism appropriately, it is necessary to examine a number of key promises and

[554] Julian *Ep.* 51
[555] Cf. Celsus; Julian *CG.* 238A-C; Porphyry *Apocrit* II. 16; Berchman 2005: 23 suggests Porphyry is less critical of the Jews than other writers.
[556] Julian *CG*. 238A-B: 'And why is it that you do not abide even by the traditions of the Hebrews or accept the law which God has given them? Nay, you have forsaken their teaching even more than ours, abandoning the religion of your forefathers…'

statements found in the emperor's address to the community. These include the issue of taxation, blood sacrifice, the rebuilding of Jerusalem, and the undermining of the Christian community.

Julian removed the tax on the Jews that had been in place from the early empire and requested that they would not be faced with it again.[557] This tax, enforced during the reign of Vespasian following his sack of Judaea had remained enforced in the empire long after the Flavian dynasty.[558] It is apparent in Julian's letter that Constantius and his men had continued to levy this tax against the Jewish community. Furthermore, it was apparent these officials intended to continue it under Julian. Julian's rescindment of Constantius' taxation is made clear through his declaration that those instigating it were killed on his orders.[559] Julian's end to a tax that had a prominent place in Roman history was an act of benevolence to the Jewish community. Further, rather than granting privileges or exemptions to the Christian community as his predecessors had, the end of the *fiscus Iudaicus* granted equal footing to the Jews instead. This is further exemplified by other aspects discussed in the letter. It is apparent that to Julian, the Jews were legitimate, their religion had an antiquity and status in Roman society not found in Christianity. Further, they had never presented a threat to the *pax deorum*, and were in fact persecuted by Christians, whose actions were not beneficial to the empire. Following the destruction of the temple in 70, Jews had been unable to perform their ritual sacrifices that could only occur in the temple. Consequently, Julian made a pledge to the community that would greatly benefit them.

The most important of these promises was the rebuilding of Jerusalem, and the temple.[560] Julian was the first emperor to make such a pledge following the sack of Jerusalem. The implications this brought with it are twofold. Firstly, it undermined Christian prominence in the empire. Rather than building churches as his predecessors had done, Julian was rebuilding the temple of the Jews. Secondly, the rebuilding of the temple would prove wrong a prophecy made by Christ in the Gospel of Matthew:

> As Jesus came out of the temple and was going away, his disciples came to point out to him the buildings of the temple. Then he asked them, "You see all these, do you not? Truly I tell you not one stone will be left here upon another; all will be thrown down."[561]

Consequently, had the temple actually been rebuilt, Julian would have concrete proof of a fallacy in the Christian text. If Christians were proven wrong, it was perhaps more likely they would instead

[557] Joseph. *BJ.* 7.28, Julian. Ep. 51; Suet. *Dom*. 12.2; Goodman 1989: 41.
[558] As evidenced by Julian abolishing it at *Ep.* 51.397A-B.
[559] Julian *Ep*. 51.397B.
[560] Bowersock 1978: 87.
[561] Matthew 24: 1-2.

acknowledge the 'true' and traditional gods of Julian's reforms. Julian keenly participated in blood sacrifice, which was also embraced by Jews.

Julian's acceptance of Jewish prayers for support of his reign is not itself unusual, but brings with it a level of preference as opposed to Christianity. Jews had always enjoyed a level of acceptance within the empire, even following revolts such as the revolt in 66 and Bar Kokhba in 132.[562] Since the Jews, like pagans, had been restricted in their actions of worship and sacrifice, they too were unable to fulfil their religious obligations under the earlier Constantinian emperors. Through reinstating blood sacrifice across the empire and accepting Jewish libations, Julian further drew the divide between acceptable Roman and unacceptable non-Roman behaviours. The importance of the gods being satiated with the sacrifices offered to them was of great importance to Julian, and the Jewish sacrifices and prayers were accepted by his gods. Julian believed that the empire was suffering due to his uncle's apostasy from paganism and thus promoted the need to re-establish Roman rites in order to ensure the restoration of the *pax deorum*.

Julian's Funeral Law (363)

One of Julian's more reactionary policies is the Funeral Law of February 363. This law sets out behaviours Julian found acceptable and contrasts these with those that are not. The law is included in the Theodosian Code, and what appears to be an earlier version is preserved in Julian's works.[563] This section is primarily concerned with the version surviving in the Theodosian Code, as this is the official version of the edict. The edict condemns the pillaging and robbing of tombs and daylight burials:

> Emperor Julian Augustus to the People.
> Criminal audacity extends to the ashes of the dead their consecrated mounds, although our ancestors always considered it the next thing to sacrilege even to move a stone from such places or to disturb the earth or to tear up the sod. But some men even take away from the tombs ornaments for their dining rooms and porticoes. We consider the interests of such criminals first, that they may not fall into sin by defiling the sanctity of tombs, and We prohibit such deeds, restraining them by the penalty which avenges the spirits of the dead.
>
> The second matter is the fact that we have learned that the corpses of the dead are being carried to burial through dense crowds of people and through the greatest throngs of bystanders. This practice, indeed, pollutes the eyes of men by its ill-omened aspect. For what day is well omened by a funeral? Or how can one come to the gods and temples from a funeral? Therefore, since grief loves privacy in its obsequies and since it makes no difference to those who have finished their days whether they are carried to their tombs by night or by day, the sight of all the people

[562] On the First Revolt see Joseph. *BJ*. II and III especially; Bloom 2010; Goodman 1987. On the Bar Kokhba Revolt see Cass. Dio. 69.12-14; Gichon 1986: 15.
[563] *C.Th*. 9.17.5; Julian *Ep.* 77.

> must be freed from this spectacle. Thus grief may appear to be associated with funerals, but not pompous obsequies and ostentation. February 363, Antioch. (trans. Pharr)[564]

The first component of the edict is not anything new, or even unusual. It is in line with the other legislation on tombs within the Theodosian Code.[565] The second component of the law is more unusual. Here, Julian's voice is clear. I will argue the latter part is a reaction to events in Antioch that resulted in the promulgation of an edict that defines proper behaviours.

The first component of the edict criticises the licentious behaviour of individuals, and those participating in ostentatious public displays of grief. Here, the location of the edict's promulgation (Antioch) comes into play. As has been established, Julian's relationship with the citizens of Antioch was far from positive. It can be conjectured that Julian sought to cease the pilfering of the tombs, having witnessed this behaviour during his stay in the city. These behaviours were intrinsically non-Roman, and would cause offence not only to the dead, but also the gods. The immorality of those participating in such behaviour is clearly in opposition to the moral and virtuous individuals who conformed to the image created by Julian. However, the second part of the edict is stronger in its rhetoric than the first. This part seems to have been a reaction to the events surrounding the removal of the relics of St Babylas in October 362.[566] The second matter seems to also be calling out Christian behaviours that were not in line with Julian's pagan restoration.

When Gallus was in Antioch, he moved the relics of St Babylas, a martyr under the Decian Persecution, to a new burial in the sacred precinct.[567] This precinct was close to the Daphnic Apollo, and Castalian Springs.[568] Consequently, this location would cause issues for Julian during his venture to Antioch in 362. After Julian's arrival to Antioch, he was disturbed by the behaviour of the Antiochenes. Julian would immediately find himself at odds with the Antiochenes regarding the Oracle of Apollo at Daphne. Julian's visit to the oracle was not successful, and he had been angered that the Castilian Springs nearby had been closed due to lack of religious observation.[569] John Chrysostom relates that when Julian attempted to communicate with the oracle, he was met with the response that the sanctuary was polluted on account of the remains of Babylas.[570] Thus, in

[564] *C.Th.* 9.17.5. Given at Antioch, February 12, 363. The entire text is also preserved in Julian's own works at *Ep*. 77.
[565] Cf. *C.Th.* 9.17.1-7.
[566] Wright 1913: 485.
[567] Euseb. *HE*. VI. 39.4; Jerome *Chron.* 252.2; Sozom. *HE*. V.19; Downey suggests this is the first recorded instance of a martyr's relics being transferred.
[568] Amm. Marc. XXII. 12.18; Lieu 1985: 47.
[569] John Chrysostom XV. 80; Julian *Mis.* 346D.
[570] John Chrysostom XVI. 87; Julian *Mis.* 361B-C.

his attempt to purify the ritual space surrounding the Oracle, Julian removed a number of bodies that had been interred near the precinct. Among these was the relics of Babylas.

The link between the Antiochene reaction to the relics of Babylas and Julian's law on funerals becomes clear: Julian saw the parading of relics, and the respect which they received as a threat to the gods, and polluting the temples nearby. The Christian fascination with the dead was abhorrent to Julian, and is clear through his desire to see the burials only at night, citing the lack of inconvenience to the dead. The dating of the edict can also provide some vital information regarding its context. The edict, promulgated in February 363 at Antioch makes the connection with the Babylas affair quite clear. It was only in October of 362 that Julian had offended the Antiochenes by moving the relics of Babylas.[571] The removal of the relics was met with indignation and outcry from the Antiochenes, John Chrysostom declaring they hurled insults at the emperor.[572] The closeness of these dates further indicates a link between what Julian had seen in Antioch, and the promulgation of an empire-wide edict. Julian's disgust in the reverence held for Babylas' remains was most likely not exclusive to the martyr.

Julian's awareness of reverence for martyrs can be traced to his childhood, during which he and Gallus built a church in the memory of a martyr.[573] The Christian fascination with the relics of their martyrs is well documented, and was a point of contention within the Christian empire.[574] To Julian, such a fervent approach to celebrating a martyr is equated with failing to please the pagan gods. This harks back to a common argument made against the Christians, being that their worship was centred around a corpse.[575] This behaviour was not Roman and did not conform with proper Roman care for the dead. [576] The disturbing part here for Julian was that the Antiochenes were more outraged about the removal of Babylas' relics than the disrepair and destruction of the Temple of Apollo. The first component of the law also comes into play here. Julian's concern may stem from a fear Christians were constructing new burials, and buildings using the materials of pagan tombs. The disturbance of tombs had been long condemned in the empire, but the disturbance of pagan burials to construct Christian buildings would have caused Julian great concern.[577]

[571] Wright 1913: 485.
[572] Liebeschuetz 1972214; Lieu 1989: 50.
[573] Gregory Naz. *Or*. IV.25. Julian *CG*. 335B discusses Julian's disgust regarding relics and the commemoration of martyrs.
[574] *C.Th*. 17.6-7.
[575] Celsus apud Origen *C.Cels*. VII. 68; Julian *Ep.* 56.
[576] Julian *CG*. 335B.
[577] Lafferty 2014: 251.

The Funeral Law demonstrates Julian's reaction to witnessing a series of non-Roman actions. Julian's edict again dictated what behaviours were deemed as appropriate for support of the gods and the empire. The Christian fascination with the dead and martyrs was disturbing to Julian, who understood this as both non-Roman and damaging to the *pax deorum*. The subsequent edict demonstrates this reaction and presents the actions that should be taken.

Recall of Exiled Bishops

Following the council of Nicaea in 325, the Christology of the Christian community was disputed, with the schism between those following Arius' Christology opposing Athanasius' trinitarianism, or the Nicaean doctrine.[578] Constantius' own adherence to the Arian doctrine resulted in the exile and persecution of those who did not.[579]. Following this intra-Christian persecution, Julian seems to have tried to ensure his own attempts at a unified religion for the empire would not result in violent measures. Julian granted these Christians clemency, and recalled them from exile.[580]

Julian used the recall of bishops to sow discord among the Christian community, and contrast the disunity among the Christians with the unity of the state religion in which all members worked towards the *pax deorum*. Ultimately, the attempts of his relatives to ensure a connection between the church and the state were failed, and thus, Julian was able to further prove this disunity through his measures. This is demonstrated in Julian's letter to the Bishop Aetius:

> To the Bishop Aetius. I have remitted the sentence of exile for all in common who were banished in whatever fashion by Constantius of blessed memory, on account of the folly of the Galilaeans… (trans. Wright)[581]

On the surface, this appears to be in line with the actions of a number of his predecessors, and is demonstrative of Julian's adherence to imperial tradition. It was common practice for a new ruler to invite his predecessor's enemies back from exile as an act of *clementia*. Indeed, we have a number of references to this behaviour under emperors such as Caligula, Claudius, and Caracalla.[582] However, the perceptions of *clementia* during the empire were conflicting. *Clementia* in its true, Republican sense indicated an action of mercy on the battlefield: the victorious general would spare or grant clemency to those whom he had defeated in combat. This reading invites a view of superior and inferior, and as such, the virtue of *clementia* can be construed as having negative implications. However, it came to possess more positive associations within the empire, and would be adopted by

[578] Barnes 1993: 14-15.
[579] Julian *Ep.* 40; Hardy 1968: 135.
[580] Cf. Julian *Ep*. 15, 24, 41; Elm 2003: 501.
[581] Julian *Ep*.15.404B.
[582] Dio. Cass. 77.3.3; Suet. *Calig*. 15.4; *Claud.* 12.1; Braginton 1944: 406.

a number of emperors.[583] It could refer to both virtue and vice: it could be simultaneously a positive virtue to be given, while being on the receiving end of clement behaviour could be deemed as embarrassing, with the use of it on another Roman citizen sometimes understood as an insult or undermining of position.[584]

Julian sought to ensure association between his reign and positive imperial virtues and as such projected his own ideal of his imperial image. This was also in line with the manifestation of paganism Julian was attempting to introduce. However, if we delve deeper into Julian's motivations it becomes clear he was not interested in permitting freedom of worship. Rather, he was searching for an excuse to further the disunity that existed in the Christian community. Julian was not only well-read, but had also lived in the imperial court during this tumultuous period, it is clear he understood the implications associated with intra-Christian conflict. These conflicts were played out in the public eye, with violence incited from supporters of different doctrines recorded.[585] Julian would have been aware of Celsus' claim that the only thing Christians have in common is the name.[586] The link between Julian and Celsus' thought is also made clear through Julian's *Caesars*, where he almost word for word relates that Christianity is a religion for the weak, uneducated and wicked.[587] This is even further emphasised within Julian's description of Christian baptism and the qualities possessed by his uncle, Constantine. Indeed, this is strongly symbolic, and it furthers Celsus' critique of Christianity and baptism:

> As for Constantine, he could not discover among the gods the model of his own career, but when he caught sight of Pleasure, who was not far off, he ran to her. She received him tenderly and embraced him, then after dressing him in raiment of many colours and otherwise making him beautiful, she led him away to Incontinence. There too he found Jesus, who had taken up his abode with her and cried aloud to all comers:
>
> 'He that is a seducer, he that is a murderer, he that is sacrilegious and infamous, let him approach without fear! For with this water will I wash him and will straightway make him clean. And though he should be guilty of those same sins a second time, let him but smite his breast and beat his head and I will make him clean again.' (trans. Wright)[588]

This is convincing evidence that Julian was heavily influenced by Celsus' treatise and well aware of the existing arguments against Christianity. However, this knowledge also stems from the

[583] Stevenson 2015: 139.
[584] See Sen. *Clem*. 2.3; Konstan 2005: 340; Noreña 2001: 153; Stevenson 2015: 139-40.
[585] Julian *Ep*. 41.
[586] Celsus apud Origen *C.Cels*. 3.12; Momgliano 1986: 293.
[587] Cf. Celsus apud Origen *C.Cels*. III.59; Julian. *Caesars* 336B
[588] Julian. *Caesars*. 335D-336D.

emperor's position itself: his predecessors had been in the centre of these conflicts and often intervened.

A number of Christian writers name Julian's permitting the return of exiles as the only positive action towards the Church in his reign.[589] However, Julian's behaviour as a ruler is also something that needs to be considered. He is well attested as being fair and just in his disposition, and in a number of instances makes note of this himself.[590] The emperor, in his letter to the citizens of Alexandria, scorns the behaviour of the Alexandrians following their lynching of George, despite also stating he wished the bishop to meet an even more gruesome end.[591] Julian knew the value associated with being a lenient and clement ruler, despite the later claims of Christian writers, and this is indeed emphasised through the proscribed behaviours of his priests.

Julian had also invited bishops previously exiled by Constantius back to Constantinople. On the surface, this is not an unusual move. Here, like his familial predecessors he had intervened in Church matters.[592] However, for Julian, this enabled his direct intervention in the intra-Christian struggles.[593] These bishops, while recalled from exile, were ordered to return to their own countries of origin rather than their episcopate.[594] Julian was aware of the charismatic status and popularity of a number of these individuals. Perhaps the most influential and dangerous was Athanasius, the bishop of Alexandria.[595] Athanasius himself was no stranger to exile, and in his lifetime would be exiled five times.[596] Following Constantius' adoption of Arian Christology, Athanasius was sent into exile, only to be pardoned by Julian.[597] However, Athanasius failed to abide by the conditions set forth by the emperor, returning to his bishopric rather than to his country of origin. Consequently, Athanasius was again exiled, by Julian who wrote:

> One who had been banished by so many imperial decrees issued by many Emperors ought to have waited for at least one imperial edict, and then on the strength of that returned to his own country and not displayed rashness and folly, and insulted the laws as though they did not exist. For we have not, even now, granted to the Galilaeans who were exiled by Constantius… to return to their churches, but only to their countries. Yet I learn that the most audacious Athanasius, elated by his accustomed insolence, has again seized what is called among them the episcopal

[589] Socrates *Hist. Eccl*. III.1.
[590] Amm. Marc. 25.12.17; Julian Ep. 40.424C: 'I have behaved to all the Galilaeans with such kindness and benevolence that none of them suffered violence anywhere or been dragged into a temple or threatened into anything else of the sort against their own will.'
[591] Julian *Ep*. 47.
[592] See also Julian *Ep.* 41 on his involvement regarding the Arians at Bostra.
[593] Barnes 1998: 133. Constantius had exiled those bishops who were not all willing to agree with his acceptance of the Nicene Creed, and was consequently attacked in polemics by figures such as Hilary.
[594] Julian *Ep*. 24. 398D
[595] Haas 1993: 240.
[596] Drake 1986: 196; van Winden 1975: 292; Watts 2010: 164.
[597] Julian *Ep*. 24.

> throne… wherefore we publicly warn him to depart from the city forthwith, on the very day that he shall receive this letter of our clemency… (trans. Wright)[598]

Here, Julian notes his own clemency on the issue, suggesting that Athanasius is free to leave Alexandria despite having gone against imperial orders. However, Athanasius would retreat to Egypt, and not to his country of origin, which resulted in yet another edict from Julian exiling the bishop from Egypt.[599] Without releasing a direct edict of persecution, Julian had subversively begun to destabilise Christianity through such laws and actions.[600] Thus, under the guise of *clementia*, Julian reignited the intra-Christian struggles for power.[601] In his edict to the citizens of Bostra, Julian states his own benevolence to the Christians:

> I thought that the leaders of the Galilaeans would be more grateful to me than my predecessor in the administration to the empire. For in his reign it happened to the majority of them to be sent into exile, prosecuted, and cast into prison, and moreover, many whole communities of those who are called 'heretics' were actually butchered… during my reign the contrary has happened. For those who had been exiled have had their exile remitted, and those whose property was confiscated have, by a law of mine received permission to recover all their possessions. (trans. Wright)[602]

Here, it is clear Julian wished to distance himself from the rule of his cousin, demonstrating his possession of more virtuous qualities than Constantius. Later in the letter Julian clearly juxtaposes his own treatment of those who did not adopt the same religious adherence as himself, declaring he would never physically compel citizens to accept his gods. Rather, he implores that they do in order to continue receiving his benefactions and kindness. This again harks back to the emperor's reinstatement of blood sacrifice; non-pagans did not have to convert, but they would not receive imperial support if they did not desist in their Christian faith. Julian cleverly managed to alienate the population without resorting to a persecution of great bloodshed. Julian was aware that he could not force the citizens of his empire to abandon their Christianity. Instead, the emperor hoped that undermining the legitimacy and stability of Christianity as exemplified by the treatment of Athanasius would serve as an incentive to pursue instead the unified traditional religion as promised by the emperor. Julian's recall of the exiled bishops demonstrates the way the emperor sought to utilise traditional measures in order to promote his own religious agenda.

Conclusion

The policies of Julian demonstrate the emperor's own awareness of how his predecessors had

[598] Julian *Ep*. 24.
[599] Julian *Ep*. 47 435A-D.
[600] Hardy 1968: 131-2.
[601] Bowder 1978: 107.
[602] Julian. *Ep.* 41.436A-B.

approached a number of different issues, as well as purveying his own anxiety for maintaining some semblance of the traditional ideals. His school law of 362 is particularly demonstrative of this, with the emperor desiring to have direct input to the appointment of teachers and to judge their characters. However, Julian's approach to blood sacrifice was too fervent for a majority of the empire to abide by and would ultimately be poorly received by the population of Antioch. While Julian saw these sacrificial actions as being necessary to upholding the *pax deorum*, the people of Antioch believed them to be too fervent. Although Julian had found the actions to be popular with his army, it is evident it was not popular with the general populace of the Eastern Antioch. Finally, Julian recalled a number of exiled bishops and Christians to their state of origin in a move designed to demonstrate his own justness as well as to potentially stir the intra-Christian conflicts of the day. Julian demonstrates a number of rather traditional measures in order to promote his own quite innovative religious and philosophical world view.

IV. Conclusion

As has been demonstrated, the position of the empire and church changed on account of Constantine's insertion of himself into ecclesiastical affairs. Constantine not only arbitrated church matters, but also brought a new Christian approach to the *pax deorum*. Constantine's involvement in a number of ecclesiastical councils, especially the council of Arles and the council of Nicaea established the emperor as the arbitrator of ecclesiastical matters. Consequently, the world Julian lived in was shaped by the expectation of the emperor's participation in ecclesiastical affairs.

Julian would not meet the expectations of the church during his reign. Rather, he distanced himself from ecclesiastical matters and promoted a number of measures potentially damaging to the standing of the church. Indeed, Julian's fixation on the restoration of pagan traditions and the maintenance of the *pax deorum* is seen through the policies discussed in this chapter. Julian's School Law dictated that teachers were to be of outstanding character, and further that they should believe in what they taught. Consequently, it was more likely youths would receive a pro-pagan influence as Julian had in his schooling. This would bring with it a greater chance of more support for his paganism and the *pax deorum*. Julian's reinstatement of blood sacrifice also stressed the importance of the *pax deorum*. Following the anti-pagan policies of his family, Julian's anxiety about the state of the gods and state had been impacted. This resulted in his fervent approach to blood sacrifice and the expectation all inhabitants of the empire would follow his lead. However, his experience in Antioch demonstrated his failure to make his paganism accessible to the masses: blood sacrifice had fallen out of favour.

However, Julian's relationship with the Jews also demonstrates his understanding of what constituted the *pax deorum*. Through favouring the Jewish community over the Christian, he clearly promoted the dichotomy of what was his understanding of correct and incorrect behaviours. The pledges made to the community indicate Julian's desire to win support for his gods, and his acceptance of Jewish prayers aided his *pax deorum*. Further, this subverted the importance of the Christian god in the state's stability. Julian's attempt at a more institutionalised and unified state religion is demonstrated by his appointment of a number of high priests. These priests were to provide a moral and pious example to the greater empire in regards to acceptable practices and how to treat the gods. These men and their families were expected to follow Julian's lead.

However, Julian would also make direct attempts to stem common Christian practices. His time in Antioch was nothing less than a fiasco, and the Funeral Law is demonstrative of his reaction to things he had seen in the city. The Antiochene fascination with the relics of St Babylas and neglect

of the Oracle of Apollo was in direct contrast to Julian's attempts to reinstate the *pax deorum*. Consequently, his removal of the body of Babylas and funeral law demonstrate his attempt to quash the worship of relics and martyrs over the gods.

Finally, Julian attempted to reinstate intra-Christian conflict through the recall of exiled bishops. The action was at its core something expected of the emperor, but served his ulterior purpose of emphasising Christian disunity. This in turn would serve as an example to be juxtaposed with the peaceful existence of the pagans within the empire and their working together to achieve the *pax deorum*.

It has been argued that while Constantine established a Christian *pax deorum* through his position within the ecclesiastical community, it was not accepted by Julian. Rome's last pagan emperor tried, and failed to reintroduce the traditional understanding of the *pax deorum* but was met with a great deal of resistance.

CONCLUSION

The period of the mid-third to mid-fourth centuries A.D. was one of great religious diversity and political change. This time saw the introduction of a number of centrally co-ordinated religious policies promulgated by the last pagan emperors of the Roman Empire in order to unify the empire and promote proper Roman practices. The initiation of these policies emerged as a response to the religious, social, and cultural environment in which these emperors reigned. The rhetoric utilised within these policies demonstrates an attempt by the emperors to dictate the terms of Roman behaviour through the promotion of what they understood as intrinsically Roman religious practices. As a result, the policies promulgated at this time often singled out Christians and Christianity as an ideological scapegoat. Those who adhered to the Christian religion were regarded as failing to support the emperor and the empire, despite asserting they prayed to their god for divine support. This behaviour was not accepted by pagans in the cities and provinces and in the imperial administration. The policies examined by this thesis stress the importance of exhibiting *romanitas* through appropriate religious behaviour, which would in turn benefit the *pax deorum*, ensuring the stability of the empire at large.

Following the introduction of the *Constitutio Antoniniana* in 212, the definition of Roman behaviour needed to be negotiated, with most free inhabitants of the empire now entitled to Roman citizenship. This edict was most likely followed by a request for universal sacrifice to the traditional Roman gods in order to preserve the empire, from which the failure of Christians to comply was evident through their failure to participate in the ritual actions. On account of this division, a number of imperial policies attempted to introduce a set of universal actions appropriate for Roman displays of piety. The need for religious conformity is clear in the rhetoric of these constitutions. In order to preserve the empire and their reigns following a period of increased foreign incursions and a high turnover of emperors, the emperors discussed in this thesis sought to dictate the terms of true *romanitas*. This thesis has argued the validity of these policies through three chronological case studies, each concentrating on a pivotal period of Late Antiquity.

Chapter One focussed on the religious policies of the mid-third century emperors Decius and Valerian. Both emperors attempted to dictate the terms of Roman practices through different methods of varying intensity. Decius' edict of 250, although lost, can be reconstructed through examination of papyrological evidence and the rhetoric of a surviving Decian constitution. It is apparent that Decius, like a number of his predecessors, sought to preserve the empire through ordering a universal sacrifice. The *libelli* confirmed that the recipient had participated in ritual sacrifice appropriately, while the letter of Decius to Aphrodisias praises the citizens for their

completion of 'proper prayers and sacrifices'. This demonstrates Decius' promotion of Roman rites to ensure the preservation of his reign and empire through the *pax deorum*. The Decian approach to religious policy would be built upon and intensified by Valerian. Unlike the policies of Decius, the actions of Valerian were more specific in their aims and penalties. The instructions regarding this indicates an end to the existing notion that governors could punish Christians at their own discretion. The first Valerianic policy was an edict promulgated in 257, which appears to be closely modelled upon Decius' request for universal sacrifice. However, Valerian's edict explicitly requests for the sacrificial rites to be performed by the Christian clergy. Those who did not comply would be exiled, as was the case for Cyprian of Carthage and Dionysius of Alexandria. The edict dictates the terms of Roman behaviour, with its demand that 'those who do not practice Roman beliefs (need to) acknowledge the Roman rites.' The strong rhetoric of this edict is aimed at the Christian community and hierarchy, who had clearly failed to participate in expected ritual actions. The subsequent rescript to the Senate in 258 presents a clarification in the case of elite Romans found to be Christian. The rescript ordered the executions of members of the Christian clergy, and the confiscation of the property belonging to elite Romans, as well as the removal of their status as a senator or equestrian. Valerian's dictation of Roman behaviour was an attempt to promote religious conformity throughout the empire; those who did not conform to the state-sanctioned religion were regarded as failing to support Rome.

Chapter Two examined the period of the Tetrarchy through three case studies. These case studies were conducted in order to establish the attitudes surrounding *romanitas* and the *pax deorum* in the pre-Constantinian era, and to understand the motivations behind the Great Persecution which brought an end to the 'peace of Gallienus'. This period demonstrates a continuation of the Roman rhetoric promoted by Valerian's third-century policies, with strong emphasis on the importance of *romanitas* for the survival of the state. The first case study was concerned with the Christian and Intellectual discourses in the period between Decius and the Tetrarchy. Arguments presented by influential figures such as Minucius Felix, Celsus and Origen have been analysed in order to establish the earlier trends in these intellectual discourses and how these influenced the policies of the emperors. Minucius Felix adopted the well-used philosophical format of a dialogue to present his arguments and inverted the position of the previous pagan works of Cicero and Plato. This is indicative of his attempt to establish a new, legitimised position for Christian literature in the Roman world. The discourse between Celsus and Origen provides clear insight to the religious climate of the third century. This can be seen through their debates surrounding proper behaviour which would influence the formation of the policies of the Great Persecution. The last component of this case study discussed the impact of three figures who were present at the imperial court at

Nicomedia prior to the promulgation of the first edict of the Great Persecution: Porphyry of Tyre, Sossianus Hierocles and Lactantius, all who are attested as present in the imperial court in 302. The debates and discourses of these men were instrumental in the formation of imperial policy. Porphyry's intellectual discourse made clear distinctions between Roman and non-Roman behaviours in relation to religious practices which would be adopted in the Tetrarchic rhetoric. References made by Lactantius to a philosopher who criticises Christianity as a 'maudlin superstition' is most likely to Porphyry, whose works extol a similar view. This notion was adopted by Sossianus Hierocles, *vicarius* of Bithynia and allegedly one of the most enthusiastic persecutors of the period. Hierocles was responsible for a work comparing the life of Apollonius of Tyana to that of Christ, promoting the supremacy of the pagan holy man. It is clear these pagan holy men, Porphyry and Sossianus Hierocles and their debates influenced the rhetoric of the persecutory Tetrarchic policies.

The second case study of this chapter focussed on the policies of the first decade of the Tetrarchy. These policies, promulgated in the decade preceding the persecutions of 303, are indicative of a renewed imperial emphasis on the importance of *romanitas,* and the dictation of what this meant by the imperial state. The earlier policies were used in conjunction with Galerius' palinode to reconstruct the themes of the lost edicts of the Great Persecution. The three earlier constitutions examined were the Damascus Edict on Incest, the Prices Edict, and the Rescript on the Manichees. Each contains rhetoric concerning the preservation and promotion of *romanitas*. This is displayed through three key themes pertaining to *romanitas* and proper behaviour: animal vs. human behaviour, the *pax deorum*, and the example of the emperors. These themes sought the promotion of appropriate behaviour for Roman citizens. Combined, these themes display what was deemed as true and proper displays of *romanitas* at this time in the empire. This was necessary for the Tetrarchy, who promoted the period of peace they had brought to the empire following the tumultuous third century.

These constitutions exemplify the importance of correct Roman behaviours as demonstrated by the actions of the emperors. It was expected that all should follow the example of the Tetrarchs in order to maintain the *pax deorum*. The Damascus Edict on Incest is heavily focussed on the improper behaviour of Romans who allowed themselves to lapse into incest. The edict is clear in its declaration of what behaviours fall into this category, even defining the acts that are classed as incestuous. This 'Persian' behaviour was deemed as a direct threat to the posterity of *romanitas* and to the stability of the *pax deorum*. This is an attitude echoed within the Rescript on the Manichees. This rescript indicates a significant change in the stylistic aspects of rescripts, being more

reminiscent of an edict rather than a rescript on account of its strongly moralising tone. Manichees were understood as belonging to a 'new and unheard of sect' that stood in stark contrast with the religion supported by the emperors. Their religion was not only dangerous because of its recent creation, but also because of its roots in Persia and relation to the Persian royal family. The Manichees and their sympathisers were guilty of non-Roman behaviour that directly threatened the *pax deorum* and the Tetrarchic desire to preserve *romanitas*. Finally, the Prices Edict, again concerned with the conservation of *romanitas* and the *pax deorum,* focusses upon the threat provided by those from within the empire. These individuals were guilty of taking advantage of soldiers through overcharging for necessary goods, demonstrating their disdain for the efforts of the empire in protecting its boundaries. The profiteers, rather than the Persians, are the target here. These profiteers were guilty of failing to follow the Roman example of the emperors and support the *pax deorum*. Their lack of *romanitas* was a threat for the empire both internally and externally. This rhetoric of right and wrong and the definition of what was regarded as Roman and non-Roman behaviours, was intrinsic to the formation of the edicts of the Great Persecution, and is a theme continuously utilised in the reign of Maximinus Daza.

The final case study of this chapter is focussed on the rule of Maximinus Daza, who is infamous for his actions as the last persecutor of the Great Persecution. Maximinus' reign saw an increase in the centralisation of religious policies. Maximinus' policies demonstrated a more personal approach than those of his predecessors though his creation of a pagan priesthood, and the distribution of propagandistic pamphlets that directly dictated the terms of proper behaviour. In some ways, Maximinus' policies are demonstrative of an attempt to consolidate his regime through his willingness to respond to provincial petitions. In praising the provincials who petitioned him for their piety, Maximinus again dictates the terms of *romanitas* as related to the traditional state religion, rather than Christianity. Those who acted in line with his example supported the empire, while Christians were the subject of the petition were in opposition with the aims presented by Maximinus. Following Maximinus' defeat by Licinius in 313, centrally co-ordinated Christian persecution ceased in the Roman Empire. The subsequent reign of Constantine brought with it a new relationship between the emperor and Church.

Chapter Three of this thesis discussed the world of Constantine and Julian. The first case study of this chapter examined Constantine's role in shaping this relationship. It analysed a series of documents that dictated a new imperial expectation of Roman behaviour in which Christianity was legitimised as being beneficial to the preservation of the empire, and now relied on the *pax dei*. Constantine inserted himself into ecclesiastical affairs, further changing the expectation of the

emperor's role in religious matters. In 314, Constantine called the Synod of Arles, and in 325 the Council of Nicaea. Constantine acted as an imperial arbitrator in both councils, and set a new precedent for his sons, who would be the next emperors of Rome and those who reigned after the demise of the Constantinian dynasty. This precedent would soon be challenged by Julian, whose position as a pagan emperor following two generations of Christian rule was fraught with a new set of challenges. Julian attempted to rescind the measures of his predecessors through the attempted reintroduction of what he understood to be proper Roman religious behaviour. Julian's religious policies promoted his own austere understanding of pagan practices which were not compatible with the empire following Constantine's reign. His attempts to dictate *romanitas* through ritual sacrifice and pagan education fell on deaf ears, while his understanding of ecclesiastical affairs enabled his attempts to undermine the social position of Christians. This is especially clear through the School Law of 362 which declared that Christians were not suitable to teach, and through his relationship with the Jews, which privileged their position in his empire at the expense of the Christians. Julian's dictation of what was and was not appropriate behaviour extended to his desire to see a return of blood sacrifice to the empire. His laws all demonstrate a deeply ingrained desire for the restoration of pagan worship across the empire that were also heavily influenced by his philosophical stance on such matters. However, Julian's reforms were ultimately unsuccessful and died with him in 363.

This thesis has argued through a series of case studies that the religious policies of Rome's last pagan emperors sought to dictate the terms of proper Roman behaviour in order to preserve the *pax deorum*. Without the universal practice of the appropriate religious behaviours, it was not possible for the empire to prosper. As such, a series of religious policies were initiated as a direct response to the changing social, cultural and religious environments of the mid-third to mid-fourth centuries which saw a great period of political instability which was exacerbated by the increase of barbarian invasions on multiple fronts. These policies reflect a trend of continuity throughout the period and indicate the perceived need for religious conformity to ensure the stability of the empire. The dictation of Roman behaviour was influenced by the rise of Christianity, with clarification required regarding the strange, new practices of the Christians. These practices were seen by some provincials as inadequate for the preservation of the *pax deorum* as shown by events under Maximinus Daza. The emperors discussed in this thesis responded to these issues through enforcing their own brand of *romanitas* in order to maintain the protection of the pagan gods of Rome for the empire and their reigns.

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